WEST VIRGINIA HISTORY

A Quarterly Magazine

April, 1940

ROY BIRD COOK, *Editor* INNIS C. DAVIS, *Managing Editor*

VOLUME 1 NUMBER 3

Contents

Administration of Poor Relief in the Virginias, by Charles McCamic 171

Jonathan M. Bennett, a Confederate Portrait, by Harvey M. Rice 192

The Memorandum of William Whitteker, Part I, edited by Elizabeth Cometti 207

West Virginians in the American Revolution, assembled and edited by Ross B. Johnston 225

Book Reviews:

Miller, *The Genesis of Western Culture: The Upper Ohio Valley*, by Richard Beale Davis 233

Hendrick, *Statesmen of the Lost Cause*, by Josephine Hege 234

Conley, *Beacon Lights of West Virginia History*, by Boyd B. Stutler 237

Chitwood, *John Tyler, Champion of the Old South*, by O. D. Lambert 238

Baldwin, *Whiskey Rebels: The Story of a Frontier Uprising*, by D. B. Kraybill 240

State History as Featured by the Press 242

Recent Publications of Interest to West Virginians 249

Contributors 250

Editor's page 251

West Virginia History, a quarterly magazine published in January, April, July, and October, by the State Department of Archives and History, Charleston, West Virginia.

Subscription price $2.00 per year
Single number 50 cents

Correspondence concerning the contributions and books for review may be sent to the editors.

The Department of Archives and History assumes no responsibility for statements made by contributors.

Offices: State Capitol, Charleston, West Virginia.

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Administration of Poor Relief in the Virginias

By Charles McCamic

The poor have been a problem since men have lived together. Biological inequalities among men, chance, political, industrial, and social organization of the particular community, religious beliefs, war, and devastation are among the principal causes, the forces of which are at times clearly discernible and at other times mingled and meshed in an inextricable confusion. Poverty is not a disease, the cure for which is a single specific. Throughout the ancient world, in the middle ages—wherever man has left a record, a part of it concerns the unfortunate and destitute. As with most problems that go beyond individual control affecting groups, a community, or a nation, there has never been a rational approach to the difficulty.

In some instances a poor man was regarded as a degraded creature, his poverty symptomatic of his want of character; in other instances, an object of alms; in others, a sacred obligation. The ancient Jews apparently felt that the difficulty lay not in the poor themselves but in the accentuation of advantages and differences which naturally occur among men. Hence, at periodic intervals, they had a redistribution and a leveling of men from which point they started all over again.

While such an idea has an engaging appeal, the confusion which must have resulted from its application can readily be imagined. Redistribution has not been a persistent force. The mere possession of wealth is formidable initial redoubt of resistance: and those who control society's administrations do not welcome a breaking up of the *status quo*. We, in America, have been imbued with

the doctrine that equality of opportunity naturally exists and that the poor are such a small percentage of the total population as to be negligible. It is a human trait to dust off our consciences with the slightest concessions and mankind has been side-stepping and dodging—as with most problems—the ever-recurring spectre of the problem of the unfortunate.

While the problem is universal, both in time and space, the generalizations of other times are more important than their detail. Accordingly, the historical continuity of our English-speaking peoples' approach is chosen for what, at best, must be an inadequate review.

The Poor Laws of Elizabeth

In 1601—the forty-third year of the reign of Queen Elizabeth—the English poor law was first codified. The immediate occasion was acute social turmoil. There were complaints from all sides that England was overrun with vagabonds. Ex-soldiers, ex-servants, farm laborers, and many others recruited the great swarms of wandering, idle, and in a great degree vicious men and women who covered England as a plague of locusts. Action by the authorities was forced and there resulted the legislation referred to.

The great plan was to charge the fifteen thousand parishes of England with the care of their own poor who eventually became tied to their locality and could be returned to their parish if they left. Workhouses were established; doles paid; the poor were farmed out and apprentices were bound out. The central idea was to provide work for the able-bodied, to furnish assistance to those for whom work could not be found, and to care for the aged and infirm. Begging was forbidden except upon license in certain parishes where the magnitude of the problem overtaxed the public resources. Those so licensed were compelled to wear a badge on the shoulder so they would be known as legal beggars. The unfortunate were classified—if some-

what roughly and rudely. Order was effected and the vicious could be put down; and the rich were made to pay.

It is beside the point to discuss the efficacy of the poor laws of Queen Elizabeth. Emphasis is laid upon the elaborate attempt—through legislation—to regulate the problem. The English efforts became the inheritance of the Virginia Colony.

The Virginia Colony

The charter of the Virginia Company was granted on April 10, 1606, to "certain knights, gentlemen, merchants, and other adventurers." These grantees secured the Royal Charter rights in part for purposes of trade and profit to themselves. It was hoped that the plan would be attractive to the surplus population of England and emigration ensue and thus in some measure ameliorate the hard times and onerous conditions existing in England.

All land in the Colony was to be held—in the now quaint phraseology of the charter—"in free and common soccage only" which meant simply free of the obligations of military service. It was necessary in the early days to manage the property jointly for the benefit of those contributing money and those who contributed services only, and for seven years labor and effort were pooled and everyone took out of the common store with unfortunate results. Captain John Smith in 1624[1] described the situation very neatly:

> When our people were fed out of the common store, and laboured jointly together, glad was he could slip from his labour, or slumber over his taske he cared not how, nay the most honest among them would hardly take so much true paines in a weeke, as now for themselves they will doe in a day, neither cared they for the increase, presuming that howsoever the harvest prospered, the generall store must maintaine them, so that wee reaped not so much Corne from the labours of thirtie, as now three or foure doe provide for themselves.

The next step was a second charter in 1609 which made

[1] *The Generall Historie of Virginia, New-England, and the Summer Isles*, Vol. 2, p. 17. Reprint in *Capt. John Smith, Works 1608-1631*, ed. by Edward Arber (Birmingham, 1884), p. 516.

the Virginia Company a corporation, with complete governing power and authority. An allocation of lands was made—three acres to every man. The authority of the corporation was complete until the first session of the Legislature in 1619.

The first years of the Colony were full of privations and hardships. As life was hard, the laws were strict and severe. Obedience to authority was sternly enforced. The many punishments relating to stealing reflect the scarcity of food and the means of existence. Dire necessity only would nerve a man to violate the Draconic Code of the early years of the Virginia Colony.

As the population grew, as fields were cleared and regular crops planted and harvested, living generally became easier. The cultivation of tobacco early proved profitable. It soon became a medium of exchange. Church taxes and even the salary of the Governor were paid in tobacco. It also had the effect of inducing emigration.

Elizabeth's poor laws seemed incontestably to be due to the crowded condition of England. But now in Virginia, with plenty of land and a sparse population, the age-old problem of the destitute, the sick, lame, and aged bobs up again as a public problem within two score of years after the establishment of the Colony. In 1642 the relief of the poor by law was committed to the church vestry which was empowered to issue certificates to the commissioners of the county of residence of the individual "to testifie their poverty which shall free them from all publique charges except the ministers' & parish duties."[1]

The Church

In 1646[2] an act was passed reciting the passage by Parliament of various acts by which there was vested power in English justices of the peace to bind out children of the poor, and also vesting in the county commissioners power to choose two children, either male or female, of the age of

[1] 1 Hening's *Statutes at Large* 242.
[2] *Ibid.*, I, 336.

seven or eight years, in each county, and send them to James City to be employed in public flax houses under a master or mistress in carding, knitting, and spinning, for which the children were each to "be furnished from the said county with sixe barrells of corne, two coverletts or one rugg and one blankett: One bed, one wooden bowle or tray, two pewter spoones, a sow shote of sixe months old, two laying hens, with convenient apparell both linen and woollen, with hose and shooes." Two houses to accommodate them were to be built, each forty feet long, twenty feet broad, and eight feet high, with a brick chimney in each house.

Eighty years later, the act of 1727[4] made it unlawful for the inhabitants of Virginia to entertain, hire, or employ, above the space of forty-eight hours, any tithable person, unless such person produce a certificate from the sheriff or church wardens that such person had paid the previous levies, or was a servant at the time of laying the levy; vagabonds were defined as able-bodied persons, fit to labor, who not having sufficient maintenance were found loitering, or begging; declared vagabonds could be committed to the common jail, and could also be whipped.

Poor persons upon complaint by a church warden of any parish were subject to be removed to their own parishes, and only those who had actually resided for one year in the parish were accounted as inhabitants.

If the vestry of the parish where such poor persons resided declined to receive them, the members were subject to a fine of twenty pounds—one half to the Sovereign and the other half to the use of the poor of that parish from whence the removal was made.

Masters of ships bringing into the colony and turning loose sick and disabled sailors laid themselves liable to a ten-pound fine to the church warden, to be recovered by action of debt, bill, plaint, or information, and applied to the use of the poor.

Children of parents unable or neglecting to support them could be bound out as apprentices.

[4] *Ibid.*, IV, 208.

A few years later, in 1748,[5] a general act was passed for better securing the payment of parish levies, the restraint of vagrants, and making provision for the poor.

The method provided was generally that of the earlier law of 1727; i.e., for a complaint by a church warden before a justice of the peace that a poor person might become a charge upon the parish. In such case, the justice could direct that such poor person be removed to the parish where he or she was last legally settled; if such could not be done, the church wardens were required to care for maintenance and cure at the charge of the parish, providing a penalty if the church wardens declined to do so, with remedy against them, and further providing a penalty against any housekeeper who would entertain any poor person without giving notice to the church wardens of the parish.

The church wardens collected tithes which were used for the minister's salary, the clerk's salary, the maintenance and building of churches and chapels, and for the support of the poor. Tithes were assessed against all males over sixteen years of age. A later act of 1776 exempted societies of dissenters from contributing to the support and maintenance of the church,[6] from which time dates the decline of the influence and power of the vestrymen of the church.

The Workhouse

The workhouse was first established in Virginia in 1755.[7] The reason given in the act for such establishment is that the number of poor people of late years increased throughout the colony, and the most proper method for their maintenance, and for the prevention of great mischief arising from such number of unemployed poor is "to provide houses for their reception and employment."

Every vestry was charged with the duty to provide "one or more house or houses within their parish, for the lodging, maintaining, and employing of all such poor people as shall be upon the parish, or who shall desire relief from the ves-

[5] *Ibid.*, VI, 29.
[6] *Ibid.*, IX, 164.
[7] *Ibid.*, VI, 475.

try or church wardens; and to employ all such poor persons, in such works as shall be directed by the said vestry, or churchwardens; and to take and apply the benefit of their labor, for and towards their maintenance and support, and to provide cotton, hemp, flax, or any other necessary materials, implements, or things, for setting the said poor to work; * * *." The relief was confined to the resident poor in the parish, and the churchwardens were empowered to place or send such poor to the workhouses with full power to set all such poor persons as might be sent there to work or labor according to their several abilities and the rules and orders of the vestry and churchwardens.

Persons in the parish found begging also could be sent to the workhouses where they could be employed, not to exceed twenty days, in such works and labors as the churchwardens should adjudge them able to perform and the profits of such beggars' labor were to be applied toward their maintenance. Either class—poor persons or beggars —could be dealt with by the lash for refraction, not exceeding ten lashes at any one time or for any one offense. If a person ordered to the workhouse declined to enter, such person was thereafter denied poor relief except, if the vestry would find that, by reason of sickness or old age, such person was incapable of labor, it could order otherwise. The names of all receiving relief were to be kept in the wardens' books.

In addition, every person receiving relief from the parish and sent to the workhouse was required to wear upon the shoulder of the right sleeve of his uppermost garment in an open and visible manner a badge of blue, red, or green cloth as the wardens should direct and, on this badge, the name of the parish to which such person belonged was placed. If such poor person neglected or refused to wear the badge indicating such status, the churchwardens had the power to inflict punishment, either by abridgment, suspension, or the withdrawal of allowance, or by whipping the offender. Thus entered in Virginia the label system applied to beggars previously existing in England. This act

also permitted the care of the workhouse to be let to contractors who had the power to set all poor persons to work.

The Overseer System of Relief for the Poor

In May of 1780[8] the Legislature of Virginia passed an act reciting in the preamble that "great inconveniences have arisen from the mode prescribed for making provision for the poor and other duties of the vestries, as by law now directed in the counties of Rockbridge, Botetourt, Montgomery, Washington, Greenbrier, Augusta, and Frederick." The act thereupon dissolved vestry systems existing in said counties and inaugurated the election of overseers of the poor by sheriffs of the counties. The board of overseers, which consisted of five, was given general powers previously lodged in the vestry of the Episcopal church. This in a measure was a reversion to the English precedent of having overseers.

The dissolution of the vestries in the counties of Shanandoah, Henry, Monongalia, Ohio, and Berkeley, followed with the act of May, 1782[9] which in terms generally conforms with the previous act of 1780.

In October of 1785, an act was passed[10] retaining the overseer system of administering poor relief, and further providing that counties within the Commonwealth should be laid off into convenient districts and that election should be held in each district for the purpose of electing overseers and that, at such election, those entitled to vote should "consist of freeholders and house-keepers only." This act invested the overseers of the poor with the same powers and duties formerly prescribed for the various vestries under direction of the different county courts.

The Legislature, in the preamble to the act of October 1786,[11] recited that "the act passed at the last session of assembly, to provide for the poor within this commonwealth, hath been found inadequate to their relief." Also the act

[8] *Ibid.*, X, 288.
[9] *Ibid.*, XI, 62.
[10] *Ibid.*, XII, 27.
[11] *Ibid.*, 272.

provided that the county court was given the power of selecting overseers in places where elections had not been held to fill vacancies. The act further grouped the "poor, lame, blind, and other inhabitants of the said district as are not able to support themselves" and provided for houses, nurses, and doctors who should be paid out of the contingent fund which, if insufficient, was to be provided for in the succeeding levy. The blind and the lame, for the first time in the Virginia statutes, were recognized as distinct classes and they were grouped with the poor.

Strolling from one county to another was forbidden. Overseers were authorized to bind out poor orphans and children apprentices "until the age of 21 years, if a boy, or 18 years, if a girl," requiring that the indentures contain proper covenants to oblige the teaching of some art, trade, or business and also reading and writing, and if a boy, common arithmetic, including the rule of three.

On December 26, 1792[12] a general act was passed providing for the poor and also declaring who shall be vagrants. This act continued the method of having overseers which, as we have seen, began in 1780. It provided that the overseers of each district "shall provide for the poor, lame, blind, and other inhabitants of the District not able to maintain themselves, and may also provide houses, nurses, and doctors, in such cases as they or a majority of them shall think necessary; the expenses of which shall be provided for in the succeeding levy."

Vagrants were also placed under the jurisdiction of the overseers of the poor with power to cause such to be employed in labor for a term not to exceed three months and for this purpose could be hired out for the best wages that could be procured, the wages to be applied to the use of the poor.

The administration of poor relief in Virginia, by the year 1792, had completely passed from administration by the church and its vestry to an elected political body. During the long period of the government of Virginia as a

[12]Virginia Code, p. 189.

colony and commonwealth, the Episcopal church, through its vestries, had administered the poor relief and had also accumulated through public authority much property known as glebe lands as well as other realty. Glebe lands, generally speaking, were lands belonging to and which could be used for the benefit of the parish. The Virginia Legislature, in 1802,[13] provided for the sale of glebe lands by the overseers of the poor and that the money so received after deducting costs, expenses, and debts existing against the same, should be appropriated by the overseers or a majority of them, "to the poor of such parish" unless otherwise directed. Properties acquired by the churches through private donations made prior to January 1, 1777, were excepted from the operation of the law.

It was further provided that taxes (called "poor rates") were to be levied and collected as theretofore. The several corporate towns in the commonwealth were to have their own overseers and make their own provision for the relief of the poor and the county courts and corporation courts were further authorized "to provide or build a poorhouse and workhouse for the reformation of vagrants" etc. Vagrants could be dealt with and the act provided for handling moral delinquencies of certain types.

A codification of the poor laws of Virginia is contained in the act of February 10, 1819.[14] The overseers were to be elected by the votes of freeholders and house-keepers only in the district. The poor, lame, blind, and other inhabitants of the district not able to maintain themselves were to be provided with provisions for houses, nurses, and doctors and the expenses to be cared for in the succeeding levy as theretofore.

Relief of itinerant persons who had migrated into the state within three years next might be reviewed by the overseers. The overseers were vested with the power to use charitable donations theretofore made for vestries which vestries had ceased to exist. The power was retained to

[13]Revised Code, Virginia, 1803, p. 421.
[14]Revised Code, Chapter 239.

bind out apprentices as formerly and to require the education of such apprentices but making it unlawful to require teaching of any black or mulatto orphans hereafter bound out.

A recent author observes[15] that the placing of the execution of the poor law in the hands of the county overseers of the poor was unfortunate since they were all too often an inefficient and politically-minded group.

In the Virginia Codes of 1819, 1849, and 1860, the general system of handling the poor through overseers, places of general reception for the poor, county infirmaries, workhouses, and poorhouses continued with slight changes.

Separation from Virginia

West Virginia was separated from Virginia in 1861, and admitted to the Union as a State in June of 1863. In the first Code of 1868[16] we find substantially the same method of poor relief set up for the new State as obtained in Virginia at the time of the separation. A board of supervisors for each county of the new State supplanted the Virginia system of boards of overseers of the poor (supervisors in West Virginia later became known as commissioners of the county court). The poorhouse was retained—which detail has not yet been abolished by law. A manager was in charge.

The act further provided that the relations of a pauper, who are of sufficient ability, shall be liable to support such pauper in manner as approved by the board of supervisors of the county in which the pauper may be and pay the expenses of burial when the pauper dies. The order of liability: first, the father; second, if there be no father, or if he be of insufficient ability, then to the children; third, if there be neither father or children or if they be of insufficient ability, then to the mother; fourth, the other relatives —but no relation is compelled to receive any such pauper in his own house against his consent.

This idea of the liability of the relations of a pauper for

[15]Mathew Page Andrews, *Virginia, The Old Dominion* (New York, 1937), p. 347.
[16]Chapter 46, p. 317.

his support was apparently gotten from the statutes of New York and Massachusetts.

As in the Virginia act taken for its model, there was authorized voluntary application for assistance by any person unable to maintain himself or by or on behalf of the family of any person unable to maintain it, if such applicant had a legal settlement in the county and such person could be kept at the place of general reception, or at the county infirmary, with authority requiring those kept at the place of general reception to work at reasonable and moderate labor. The proceeds of such labor were to be appropriated for the benefit of the poor. Also there was authority to assist the involuntary needy.

In the amended code of 1884,[17] the overseer system is continued, but the county court was substituted as the supervising body. The term "poorhouse" was dropped from the law and, in its place, there was established a place of general reception for the "poor" also "a county infirmary, workhouse, and other improvements necessary to the use and benefit of the poor." The law, for the first time, contained a provision to the effect that the county court may purchase land for the use of the poor, sell and convey land heretofore or hereafter acquired for that purpose, and may acquire stock and instruments of husbandry on any of said lands. The liability of relations of a pauper for his support was retained and in general it may be said that the act found in the amended Code of 1884 was changed little from that contained in the Code of 1868.

The Code of 1906[18] also contains a provision first found in the act of 1901[19] providing for the burial of indigent soldiers and sailors who have "served in the military or naval service of the United States during the rebellion, the war with Spain or Philippines or any ex-confederate soldiers, who shall hereafter die without leaving sufficient

[17]Chapter 46.
[18]Section 33, Chapter 46. See also Chapter 46 in the Codes of 1887, 1891, and 1899. No changes of note are contained therein.
[19]Chapter 64.

means to defray his funeral expenses, but such expenses shall in no case exceed thirty-five dollars."

The Code of 1913[20] contains the poor law substantially as it is contained in the amended code of 1884. There is a provision that the overseer of the district may furnish antitoxin to or cause to be vaccinated with proper vaccine matter any person in such district who is unable to pay for the same.

The supplement to the Code of 1918[21] contains few changes in the poor law. Among others, the county court was authorized in its discretion to "pay for hospital service rendered not more than one year previously within the state of West Virginia to poor persons resident or found in the county, and for medical, surgical, or institutional treatment given to such persons within this state."

Pension Laws

There are also contained in the 1918 supplement two pension laws passed in the regular session of the Legislature in 1917: these are the provisions for paying pensions to firemen[22] and the mothers' pensions.[23] Applications for relief might be filed under the mothers' pension law if the husband is dead, or if he has become permanently incapacitated for work by physical or mental disability, or is confined in some West Virginia institution, or if she has been abandoned, or she is the mother of two or more children under the age of thirteen years; the application must be investigated by the county court; on such application, summons is to issue and a hearing is had in open court and, if the application is sustained on the hearing, the county court is authorized to enter an order paying the mother of said children on whose behalf the application is filed an amount of money to enable the mother properly to care for the child, not exceeding $15 per month, when such mother has two children under the age of thirteen years and, if there are more than two children under such age, the relief

[20]Chapter 46.
[21]Chapter 46.
[22]Chapter 15t.
[23]Sections 13 to 24.

granted is not to exceed $5 per month for each additional child but, in no event shall relief granted on such application exceed the sum of $25 per month; when any child shall arrive at the age of thirteen years, the relief for such child is to cease unless such child be ill or incapacitated for work, in which case, during such illness or incapacity, relief is to continue until the child is sixteen years of age.

The act is further weighted with conditions of relief, among others, that satisfactory reports must be given by the teacher in the district school stating that the children of the recipient are attending school—if they are of age and physically able to do so. The children must live with the mother; the court must find that it is for the welfare of the children to remain with the mother; and relief must be necessary to save the child from neglect; but, if the mother is the owner of real estate or personal property other than household goods, or receives benefits from the workmen's compensation fund, she shall not receive relief.

Barnes' Code of 1923 contains a few amendments. A new chapter was added,[24] relating to delinquent and dependent children. In 1923 the Legislature also authorized Child Welfare Boards.[25]

The Code of 1932[26] liberalizes the law with respect to treatment of diseased persons who were to be sent to the hospitals at the expense of the county. Article 2, Chapter 9 revises the previous legislation and codifies the law as to mothers' benefits and there is established in the state, in Article 3, a public declaration of policy as to the care and relief of aged persons, and providing for old-age pensions in an amount not to exceed one dollar per day.

Public Welfare Law of 1936

The Public Welfare Law was enacted by the Legislature of West Virginia in 1936, patterned after the existing Federal model. Amendments have been passed in 1937 and

[24]Chapter 46a.
[25]Chapter 60, Acts of 1923.
[26]Code, Chapter 9.

1939.[27] The state accepts appropriations of money authorized by Congress from the Federal Treasury for such purposes. The act repeals some of the former relief laws, but the State retains the poorhouse. The law is administered by and through a state council—called the State Department in the law, a county council, an appeal board, and also in some details by the county courts. The act also authorizes visits to homes of indigent persons by health officers, physicians, and nurses employed by the county, and the use in each county of the State of designated public or private hospitals for the medical and surgical care of indigent persons. Another relief authorized by the act is the development within the State of adult physical rehabilitation for the physically handicapped person, being one who, by reason of physical defect or infirmity, whether congenital or acquired by accident, injury, or disease, is or may be expected to be totally or partially incapacitated for remunerative occupation. The act adopts three classifications found in the Federal Social Security Law and, under its provisions, if funds are available, public assistance is rendered to the following:

(a) An aged person, also called "indigent," of sixty-five years, who has been a resident of West Virginia for at least one year immediately preceding application for assistance, who has not made an assignment or transfer of property, who is not in need of continuing institutional care because of physical or mental condition, who is not an inmate of a public institution, and who is actually in need and has not sufficient income or other resources to provide a subsistence compatible with decency and health. The limit of relief is thirty dollars per month per person.

(b) A blind person with disqualifying blind defect sufficient to incapacitate him for self-support, who has attained the age of twenty-one years, and with substantially the same residence and other qualifications as set forth for indigent aged persons. The limit of relief is thirty dollars per month per person.

[27] Code, Chapter 9.

(c) A dependent child, who has not attained the age of sixteen years, who has resided in the State one year, or who was born within the State within one year preceding application, and who is deprived of parental support or care by reason of death, continued absence from home, or physical or mental incapacity of a parent, and who lives with named relatives in a place of residence maintained by such relative as his own home, according to required standards of care and health. Limit of relief is eighteen dollars per month, and if more than one child in the same family, twelve dollars per month for each additional child after the first.

The methods of securing public assistance require written application to be made to the county director of the county of residence, with investigation to be made by the county director of the application, and approvals of application to be made by the county council and State Department.

If the application for relief is denied, there may be appeals to the Board of Review provided in the act. The law also permits complaints by citizens and provisions for hearing on such complaints against the grant or continuance of the grant, with attendant appeal.

Aged persons and blind persons with real or personal property (less certain exempted amounts) are required to acknowledge a lien thereon (also characterized as an "agreement to reimburse") for the benefit of the State as a condition before assistance is granted. Such lien is to be recorded in the county where the property is situate, and upon reimbursement to the State of the amount of assistance awarded, a release is to be executed by the State; such person must also assign as security to the State Department any life insurance policy, carrying State benefit.

Relief may also be awarded to indigent persons found to be (a) public charges, or in danger of becoming such; (b) in need of continuing institutional care because of physical or mental condition; or (c) in need of medical or

surgical care whether in an institution or in his own house, if such indigent person is actually a resident of the county, and has resided in the State for one year next preceding the application; and where funds are specifically made available for such purpose, the State may extend the authority of a county council to grant general relief to persons who have not been residents of the State for one year.

Existing county infirmaries are authorized to be maintained if the county court so decides. While the county court manages and controls such institutions, admission thereto is by order of the county council. Persons who are admitted to the infirmaries may be required to perform certain duties and labor, but only to the extent reasonably permitted by their physical and mental condition.

The Public Welfare Law has one section[28] which created the office of the State Veterans' Service Officer. He must be a citizen of this State, entitled to vote, and a veteran of the World War. His duties relate to veterans honorably discharged from the armed forces of the United States of America and he is charged with the duties of rendering assistance to all such honorably discharged veterans in properly presenting their claims before the Veterans' Administration of the United States or before any bureaus or departments of the Federal Government; the State of West Virginia; or any of the several states of the United States, when the claims arise out of service with such armed forces; in addition, he must keep in touch with all Veterans' organizations engaged in the State in welfare and relief work and render to veterans and their families within the State all possible assistance and furnish information on compensation, insurance, rehabilitation, hospitalization, and allowances provided by the United States Government, the State of West Virginia, and by any other state, and also make careful inquiry into all claims presented for payment to the State treasurer from any appropriation hereafter made for the relief of sick, disabled, or indigent soldiers, sailors, or marines residing in this State, who served in the

[28]VIII.

armed forces of the United States; in other words, the duties of such officer can be summarized as those of an information bureau.

Public assistance rendered is not subject to taxes except sales taxes; neither can it be levied upon by execution, garnishment, or other legal process.

The recipient of public assistance or of general relief is not now to be deemed a pauper. Thus, the new law differs fundamentally from the idea that had prevailed since about 1601.

The county court still has jurisdiction in all matters relating to apprentices, though compulsory apprenticeship is in part abolished, except as provided in the State institutional laws. This, however, does not permit, as formerly, the apprenticeship of a person, merely because he is poor.

The minute particulars of the acts governing the care of the poor are omitted so as to emphasize the theories underlying them. Current legislation is examined in some detail.

It is trite to observe that legislation must be fitted to the special problem involved and not the problem to the legislation. Implicit in any effective legislation dealing with the complex and continuing difficultes of human want and misery is a profounder knowledge and understanding of the subject by the legislators than has been exhibited heretofore. Causes are elusive and changing: what seems certain in one decade is uncertain in the succeeding. Decay and obsolescence occur in law as they do in corporeal things. At the time of Queen Elizabeth, the means of livelihood had been expropriated, dispossessing thousands literally of the right to live except they might exist upon the harsh and brutalizing terms of the acts of Parliament. The first effort in Virginia failed because too much dependence was placed upon human nature. The acts of Virginia and West Virginia were simply a panacea to meet a not very pressing situation.

The last ten years have seen the emergence of new forces directly and positively augmenting the number of

the poor, the indigent, and the unemployed and also causing disturbance in the vast fringe of persons not yet quite poor, nor sixty-five years of age, nor quite blind enough, or too old to be a dependent child, but who, as well as the poor, the blind and dependent children covered by the law, stand always in the deepening and lengthening shadows of the threat of the loss of a livelihood or of becoming burdens. When the United States was generally agricultural, the mass of the population was tied closely to the soil. The shop and factory worker was the exception. Poverty was isolated and could be ascribed either to strictly local conditions, to individual unfitness to earn a livelihood—not for the want of opportunity—or to the adventitious circumstances of sudden calamity such as flood or fire and the like. The poor were negligible in number. A single county poorhouse or farm with moderate aid from the county authorities sufficed to meet the situation. The able-bodied could always make a living. The movement from farm to factory and city accelerated rapidly since the World War. More rapidly our civilization became engulfed by advances in chemical knowledge, swift-paced machines, and mechanical economy. Agricultural production, transformed by mechanical aids, tended to center in areas greatly removed from the markets for products of the farm. The numerous small farms which but a few generations ago supported a teeming farm population have been abandoned as general farms. A man divorced from the soil, to live, must have a job, which is linked inevitably to a machine. He is a sort of migrant from job to job, from machine to machine, or from period of work to period of work: there is a normal unemployment in prosperous times, but with each depression, the unemployed are numbered by the dozen millions. In a sense, this produces a new kind of poverty and destitution in which individual unfitness to work is a small factor. A new economic despotism emerges, the results of which are evident but the causes are obscure and complicated. A proportion of those able to work are excom-

municants from the means of livelihood as a normal phenomenon. Our economy has ceased to be a composite of local groups but one of undefined limits spreading over vast areas of the earth. Mankind is not accustomed to this new economy: suddenly transplanted from an agricultural stage of small units and local markets to a vast and complex organization of hundreds of millions of persons, the forces making for dislocations are not objective though the effects are all too evident. The individual is helpless and only can blink impotently at the inevitability of idleness and poverty.

Past legislative panacea is not apt. Apparently there are no historical guides. In the swift and overwhelming emergencies, the remedies are necessarily blundering. We have heard the continual wailings of poverty in the midst of plenty with the inference that the remedy is the easy one of legislative fiat.

Production is good and distribution is poor. Too many people live in an area of too few jobs. The government tries its hand and people think of the government in the usual anthropomorphic sense with an added touch of deity—an Uncle Sam—a great white father! The NRA is the government's attempt to put the wild and unpredictable economic forces into some sort of control: it ends in a debacle of confusion worse confounded with a gigantic mountain of uncoordinated edicts of code administrators and their subordinates, a vast administrative bureaucracy, neither spinning nor toiling, but parasitic upon those who produce: and, not least, the discovery that the government is composed of men and they with what approached autocratic powers could not bring the economic forces into control.

The solution of the problem of distribution has been attempted through taxation. The idea is to skim off a part of the profits of production and to redistribute it in direct relief and in work relief projects such as WPA. It is hardly necessary to point out that this does not solve the problem. It is only an expedient. It is wasteful in administration, inescapably political in practice and serves but to intensify

the conditions in business which called it forth. With every fresh tax demand, business will redouble its efforts in economy of operations which means greater unemployment.

Conditions in the last ten years have produced an apprehension in the minds of millions. The unemployed touch every family and the debilitating psychology of an able-bodied man out of work contagiously affects those still with employment but fearful of its loss.

The man out of work is not one man but millions. And the man nearly out of work exceeds him in numbers: when the bulk of the nation lived and worked on the farm, there was a feeling of security. The single dominant thought of a majority of the nation now is security. The crack-brained utopian schemes are really conspicuous by their small numbers considering the fertile soil in which they have to flourish.

The problem of the poor today has been submerged in the greater problem of the unemployed which crosses all state lines, making the efforts of a single state, uncoordinated with those of others, futile.

Legislation is not the answer until the objectives of legislation are more fully understood. The history of poor relief is not of much moment in the present crisis. The remedy, it seems, lies in a new appraisement of the situation, having regard and respect for the accompanying changes in conditions and philosophies, which will require scientific —not political—methods applied to a practical problem.

And, in the meantime, relief will go on.

Jonathan M. Bennett, a Confederate Portrait

By Harvey M. Rice

On July 21, 1857, Governor Henry A. Wise, of Virginia, telegraphed Jonathan M. Bennett at his home in Weston. "Will you," he asked, "accept the . . . [auditorship] Reply as soon as possible."[1] The immediate reason for the query was the recent death of the incumbent, George W. Clutter. Otherwise, a number of factors conspired to put the finger of destiny on Bennett.

A custom had grown up in Virginia's Democratic party for the position of First Auditor to go to a man from the Trans-Allegheny. Clutter's home had been in Preston County, and his predecessor, Robert Johnson, had lived in Clarksburg. This custom was part of a larger plan devised by the Democrats in the 1840's to appease the westerners and prevent their deflection into the Whig party.[2] In addition, recent years had seen the development of the Lewis County Democratic organization into one of the most powerful west of the mountains.

Besides these general considerations there was the factor of Bennett himself. For two and one-half years he had been a member of the State Democratic Executive Committee. At the State convention in December, 1854, he had been an outstanding contender for nomination as the party's candidate for lieutenant-governor. In the interest of party harmony, however, he had stepped aside in favor of Elisha McComas, from Kanawha County. Moreover, Bennett was

[1]This telegram is preserved in the *Letters and Papers of Jonathan M. Bennett* in the Archives Division of the West Virginia University Library, Morgantown, West Virginia. Hereafter this collection will be referred to as *Bennett MSS.* This collection was placed in the Archives by J. M. Bennett's grandson, Hunter M. Bennett, Weston, West Virginia.

[2]Ambler, Charles H., *History of West Virginia,* (New York, 1933) p. 273.

one of the leading lawyers of the State and was president of the Weston branch of the Exchange Bank of Virginia. His training and experience in both these lines amply qualified him to become the chief financial officer of the commonwealth.

The attainments Bennett had achieved were largely the result of his own unflagging energy. Born on October 4, 1814,[3] in the Collins Settlement neighborhood of Harrison County, later Lewis County, he was the twelfth and last child of William and Rebecca McCally Bennett. William Bennett had been one of the thousands who heard the call of the west and went to settle the wilderness. In 1800, or 1801, he left his home in Pendleton County in company with several of his brothers, his wife, their three children, and his father-in-law, James McCally, and made his way to the upper waters of the West Fork of the Monongahela River.[4] It was here in a cabin beside "Bennett's Run" that Jonathan was born.

The lad spent his early years on the farm and in the mill his father had erected. The early, formal education he received was in a one-room school at nearby Abram's Run, taught by his older brother, James. When he was twenty years of age Jonathan borrowed from his father "65 dollars for tuition and board"[5] and went to Weston to attend an advanced school taught by a newcomer from Pennsylvania, Matthew Holt.

Two years later Bennett's business and political career began when he was sworn into office as a deputy sheriff of Lewis County. After one term in this capacity he became a

[3]Jonathan M. Bennett came to believe in later life that he was born in 1816, and this date is on the shaft at his grave in Macpelah Cemetery, Weston, West Virginia. But in September, 1835, he wrote the names and birth dates of his father, mother, eleven brothers and sisters, and himself in a ledger belonging to his father, and there he gave his own birth as October 4, 1814. This ledger is now the property of William Bennett's great-grandson, Clark Sprigg, Walkersville, West Virginia. Hereafter it will be referred to as *William Bennett Ledger*. In March, 1836, when Jonathan Bennett became a deputy in the office of the sheriff of Lewis county, William Peterson, it was assumed that he was twenty-one years of age. The writer believes 1814 to be the correct date.

[4]Cook, R. B., "Collins Settlement of Old," p. 27. This is the title of a series of articles published in the *Weston* (W. Va.) *Independent* in 1922. Page citations are to the manuscript in possession of Dr. Cook, Charleston, West Virginia.

[5]Recorded in the *William Bennett Ledger;* also in this ledger is a record to the effect that three years later he repaid his father, principal and interest.

deputy to John Talbott, clerk of the Lewis County Court and of the Circuit Superior Court of Law and Chancery. Here Bennett came into constant contact with the law and with lawyers, and, as a consequence, he turned during the winter of 1842-1843 to the study of this subject. In April of the latter year he became a practicing member of the bar,[6] and almost at once he formed what proved to be a lucrative partnership with Gideon D. Camden, a prominent lawyer of Weston and Clarksburg.

The decade and a half following Bennett's admission to the bar were years of ceaseless activity in northwestern Virginia. Towns were springing up; new counties were being formed; schools, churches, and newspapers were appearing with increasing rapidity. The Baltimore and Ohio and the Northwestern Virginia Railroads were pushing toward the Ohio River. Private companies, aided by a sympathetic state government, were constructing east-west and north-south turnpikes across the mountains and from river to river west of the mountains. In the Northwestern Virginia Railroad, Bennett was one of the original incorporators,[7] and in many of the toll-road projects he was a prime factor.[8]

These same years saw a steady expansion of Bennett's other legal, business, and political interests. Lewis County's first newspaper, the *Weston Sentinel,* was established in 1846 under his sponsorship. He managed the nomination of George H. Lee, of Clarksburg, as Democratic candidate for the State Supreme Court of Appeals. The autumn election of 1851 resulted in Bennett's being sent to the General Assembly at Richmond as Lewis County's member of the House of Delegates.

As a member of the legislature Bennett was concerned with a variety of interests. He successfully sponsored a bill which resulted in the establishment at Weston of a branch of the Exchange Bank of Virginia. He introduced a bill

[6] License dated April 17, 1843, *Bennett MSS; Lewis County Court,* "Law Order Book," H, (n.d.) p. 292, in the office of the Clerk of the Circuit Court, Weston, West Virginia.

[7] *Acts of the Virginia General Assembly,* 1850-1851, p. 69. Hereafter the acts of the Virginia legislature will be referred to as Va. *Acts,* with the appropriate date.

[8] See *Bennett MSS,* 1842-1857, *passim.*

to provide for the incorporation of a turnpike company, one for the building of a bridge across a Lewis County creek, another for chartering of a seminary in Weston. In all of these he was giving voice to the desire of the west for internal improvements. Bills he introduced to change the form of Weston's municipal government were enacted, and when they were put into force he was chosen as the town's first mayor.[9]

But his interests were not all local in character. As chairman of a committee to investigate the printing of the debates of the Constitutional Convention of 1850-1851, he recommended that these debates be published. Unfortunately, they never were. He also served on a select committee to inquire into the practices of the Baltimore and Ohio Railroad Company.

With the expiration of his term in the General Assembly he did not seek re-election. Rather, he turned his attention more and more to legal and land matters and to the Weston branch bank of which he had been chosen president. He could not, however, get completely out of politics. As has already been indicated, he was prominently mentioned for lieutenant-governor in 1854, and had been serving as a member of the State Executive Committee of his party since 1855. The latter position he was holding when Governor Wise called him to the auditorship. When Bennett answered the governor's telegram by accepting his offer and going to Richmond, he carried with him a rich experience which served him well in meeting the problems of his new responsibility.

Within a few weeks after he became the chief financial officer of the commonwealth, the panic of 1857 struck the country. Fiscal matters became a nightmare. Banks suspended specie payments and curtailed their loans. These actions directly and indirectly caused a contraction of their currency circulation. With the circulating medium thus

[9]For material in this paragraph see the *Journal of the House of Delegates of the State of Virginia for the Session of 1852*, pp. 52-73, *passim*.

reduced, the State was placed in a critical and embarrassing position concerning the collection of taxes.

In September the official State deposit banks, in order to prevent their own tills being drained of specie, announced that they would accept no paper money of suspended banks.[10] This provoked a crisis. Bennett stepped in with a plan to prevent the suspended institutions from being forced to the wall. He authorized sheriffs and other collectors of public taxes to accept, and pay directly to the auditor's office, the notes of any bank within the State in payment of debts due the commonwealth.[11] With the agreement of Governor Wise to designate by proclamation additional places of deposit, if necessary, to insure the acceptance of currency issues of all banks in Virginia, the storm was temporarily weathered.

The General Assembly met in December, 1857, and took the banking situation under consideration. The result was the "Redemption Law" of April 2, 1858. Among its many stipulations the most important were those requiring branch banks to redeem their issues at their parent bank or at Richmond, and requiring all independent banks to establish a redemption office at Richmond or at Baltimore.[12] Since this law was not to become operative until April 1, 1859, a supplementary act was passed requiring all banks in the State to resume specie payments on May 1, 1858, and it prohibited any bank from paying out notes of a non-specie paying institution.[13] Even before the Redemption Law went into effect, it became apparent that it would have harmful effects. Bennett was among those who discerned this truth, and he began advising its repeal, a policy he steadfastly continued until the law was abolished.

The same legislature that passed the Redemption Act provided for the establishment of an insane asylum west of the Allegheny Mountains. Its site was to be chosen by a committee appointed by the governor. Bennett was in no

[10] J. M. Bennett to T. B. French, September 29, 1857, in the *Weston Herald*, October 12, 1857.
[11] J. M. Bennett to the Editors of the *Richmond Enquirer*, October 2, 1857, reprinted in *ibid.*
[12] Va. *Acts*, 1857-1858, pp. 57-58.
[13] *Ibid.* pp. 58-59.

way officially connected with the enterprise, but he took an immediate and abiding interest in it. All three of the members of the governor's committee were close friends of Bennett, and when they started west on their tour of inspection he furnished them with passes on the Baltimore and Ohio and the Northwestern Virginia Railroads. In addition, he accompanied them as far as Weston.

Some weeks ahead of the committee, Bennett sent word by Caleb Boggess, a prominent Lewis County attorney, suggesting to the municipal council that steps be taken to beautify Weston. On April 4, the council passed an order directing that fences and houses be whitewashed in preparation for the coming of the committeemen.[14] The residents went beyond the requirements of the order and put gravel on the streets and repaired the sidewalks.[15]

The committee's tour included, in addition to Weston, Buckhannon, Summersville, Gauley Bridge, Point Pleasant, Charleston, Parkersburg, and Clarksburg. But nowhere did it find such evidences of civic pride, community interest, and friendly hospitality as Weston afforded. It could have come as no great surprise to Bennett to learn late in June that Weston had been chosen as the site for the asylum.[16]

Almost on the heels of this successful enterprise, Bennett became involved in a business fiasco, the Bank of Weston. In this devious affair Lewis County's leading businessmen were completely duped by two tricksters, Charles H. Fuller and Aaron K. Corey. These two practitioners of the "confidence game" already had records for similar activities of deception in Georgia and Pennsylvania,[17] but, of course, these facts appeared only after the two men had disappeared from Weston. Books were opened for the sale of stock in the new enterprise on June 1, 1858. After remaining open for the ten days provided in the charter, the books were closed, without the minimum of $100,000 of

[14]Caleb Boggess to J. M. Bennett, April 5, 1858, *Bennett MSS.*
[15]*The Weston Herald*, June 7, 1858.
[16]C. R. Harris to J. M. Bennett, June 25, 1858, *Bennett MSS.*
[17]Newspaper clippings in *ibid.*

stock being subscribed. They were opened again, however, on July 24, and Bennett subscribed for the whole $100,000 of stock.[18]

The following month Bennett ended his official connections with the project by transferring the $100,000 of stock to Aaron K. Corey. But the directors of the organization were not notified of the change until February 19, 1859, and, very strangely, Corey had by then on three occasions transferred the stock to three separate people. Bennett and the directors, however, were entirely ignorant of these machinations.[19]

The upshot of the affair was that the Bank of the Republic in New York City apparently lost the $100,000 in Virginia bonds it lent to Fuller, and the latter absconded with at least $50,000 of the paper money of the Bank of Weston. An investigator appointed by Governor Wise absolved all the local men from culpability, but he indicated that there was "much informality in the transfer or assignment on the original certificate, signed by J. M. Bennett."[20]

Meanwhile, the unexpired term to which Bennett was appointed had ended, and the legislature chose him for the following regular two-year term. Nor was this the only way he figured in political activity in 1858. In the northwestern district of Virginia there was a substantial Bennett-for-Congress boom as the Democratic nominating convention approached. The names of Bennett and Albert G. Jenkins, of Cabell County, were placed before the convention. After numerous ballots in which neither could get the necessary majority, Jenkins pushed out in front and won the nomination.[21] He was subsequently elected to Congress, and later became a distinguished officer in the Confederate Army.

Almost before the election took place, John Brown's maniacal attack on the United States Arsenal at Harpers

[18] *Virginia House of Delegates Document*, 1859-1860, No. 1, "Governor's Message and Reports of Public Officers of the State . . . of Virginia," Appendix to Message II "Documents on Miscellaneous Subjects," pp. 217, 221.
[19] *Ibid.* p. 222.
[20] *Ibid.* p. 215.
[21] *The Weston Republican*, November 5, 1887.

Ferry electrified Virginia. Such theoreticians and "fire-eaters" as Edmund Ruffin demanded immediate secession from the union. Other more practical and perhaps more hard-headed leaders advocated retaliation in terms of economic measures. They saw in the affair a dual opportunity: to bring the North around to the southern view, and at the same time strike a blow for southern business independence. Specifically, this would be accomplished by commercial restrictions leveled at those portions of the North which showed hostility to southern institutions.

Jonathan M. Bennett was a leader of the latter group. He recommended that the General Assembly should enact a law requiring a license to be purchased by "our merchants and traders for the privilege of *buying* goods, wares, and merchandise in any state whose laws, or people overriding the laws, have manifested hostility to the institution of slavery."[22]

The motives in Bennett's mind were clear. "Since," he said, "the positive evidence is before us of the hostility of the northern people to our institutions—when overt acts of treason and murder have been perpetrated by them on our soil, with scarcely a candid admonition proceeding from any public functionary, or even from any newspaper, and without a single honest rebuke from any portion of the northern people, publicly given, an inquiry into the extent to which our laws on merchant's licenses may be used to vindicate our rights, is certainly demanded by every consideration of sound policy."[23]

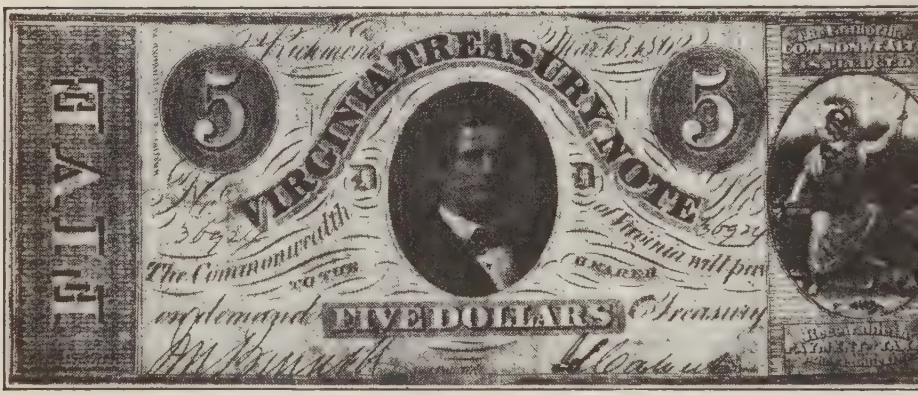
Bennett's indignation at the John Brown raid was apparent. Yet it was its aftermath, the attempt of northern leaders to make Brown a martyr, that confirmed Bennett in his attitude on secession. The northern demonstrations were, he said, "satisfactory proof that the Union no longer exists, except by the Constitution, or a mere rope of sand."[24]

These harsh feelings had not dissipated when Abraham

[22] *Va. House Document*, 1859-1860, No. 5, "Biennial Report of the Auditor of Public Accounts, 1858-1859," p. 73.
[23] *Ibid.* pp. 72-73.
[24] J. M. Bennett to G. J. Butcher, November 27, 1859, *Bennett MSS.*

Lincoln was chosen president. Throughout the South there was an immediate disruption of business. In Virginia, as elsewhere, banks suspended specie payments. Bennett now saw even greater reason for the South's becoming economically independent. Consequently, when the state convention voted on April 17, 1861, to dissolve the bonds uniting Virginia with the United States there was no question in Bennett's mind as to where his allegiance lay. Almost at once his future was interwoven with that of the Confederate States of America.

With the outbreak of hostilities in April, 1861, Bennett set out to have his wife's cousin, Thomas J. Jackson, pro-



From Boyd B. Stutler's Private Collect

$5 treasury note of the State of Virginia bearing the portrait of Jonathan M. Bennett, of Weston, Lewis County. Mr. Bennett served as Auditor during the Civil War period.

fessor of philosophy at the Virginia Military Institute, appointed a brigadier-general in the State forces. Bennett's idea was for Jackson to be put in command of the troops in the northern Trans-Allegheny and save that area for the Confederacy. The auditor did not succeed in the latter effort, but on July 3, Jackson received his appointment as was dubbed "Stonewall," a name which he made synonybrigadier-general.[25] In less than three weeks the new officer mous with military genius.

Meanwhile, the auditor's official duties were rapidly in-

[25]Cook, Roy Bird, *The Family and Early Life of Stonewall Jackson*, (Richmond, 1924) p. 88.

creasing. Indeed, before the war ended, Bennett became virtually the business-manager of the commonwealth of Virginia. As early as January, 1861, the State senate called upon him to furnish an estimate of the probable deficit in the treasury at the end of the fiscal year, September 30. The resolution further requested the auditor to disclose what increase in taxation would be necessary to meet the deficit.[26]

Within a week the auditor replied that, aside from the expense of the ordnance department and the manufacture of arms, the probable deficit would be almost $137,000.[27] This estimate was based on the assumption that there would be no further extraordinary appropriations, but it did allow $1,000,000 for the defense of the State.

As to the manner of raising funds to meet the deficit, Bennett made three recommendations. The first was inflationary in character since it called for the issuance of treasury notes through the banks of the State. The auditor felt, however, that this was not unsafe, for since 1857 the circulation of bank currency had shrunk over $4,300,000, and the amount of bank loans had decreased over $2,000,000. The second was to supplement the first by borrowing on short term loans. Both these suggestions were occasioned by the thought that increased taxation would be only another blow at business, which was already staggering from the uncertain political situation. The third part of the auditor's plan was for the General Assembly to require internal improvement companies to become more profitable to the State. Bennett felt very strongly on this subject and recommended it again and again. He pointed out that the commonwealth had invested more than $32,000,000 in such enterprises, yet, for the fiscal year of 1860, the State had received dividends amounting only to $315,000, or less than one per cent on its investment. During the same year, private investors in the same companies had received far high-

[26] *Virginia Senate Journal*, Extra Session, 1861, p. 114.

[27] *Virginia Senate Document*, Extra Session, 1861, No. 14, "Communication from the Auditor of Public Accounts enclosing a Financial Statement Responsive to a Senate Resolution, February 2, 1861," pp. 5-6.

er dividends.[28] The legislature acted only on the second of these proposals. It empowered the auditor to issue interest-bearing notes, redeemable twelve months after issue, and in a total sum not to exceed $1,000,000.[29]

As the war continued, the legislature inquired more and more frequently of Bennett for information and suggestions concerning fiscal affairs. Finally, in March, 1863, he was asked to submit with his next biennial report, December, 1863, the outline of a general tax bill which would show the aggregate revenues to be raised, the estimated amount to be secured by each separate subject of taxation as well as each different class of taxpayers, and any other recommendations he deemed appropriate.[30] Two months prior to this request the revenue law of 1863 had been enacted, a law which raised tax rates to a point two and one-half times as high as they had been at the end of 1861.

In compliance with the request, Bennett submitted the outline of a bill, and on the following March 3, the General Assembly passed a distinctly unique revenue based on the auditor's recommendations. The new statute declared the act of March 28, 1863, "entitled an act imposing taxes for the support of government" to be suspended until January 31, 1865.[31] No other revenue law was enacted until after the war had closed and the Pierpont government had moved to Richmond.

But public fiscal affairs were not Bennett's only concern. Early in the war he was confronted with a decision that brought into conflict his own wishes and his sense of duty to the State. General Stonewall Jackson telegraphed Bennett in February, 1862, asking him to accept an appointment as Adjutant-General on Jackson's staff.[32] Despite his personal wishes in the matter, Bennett refused the offer and accepted re-election to his position as auditor.

Meanwhile, his personal affairs at Weston, which was

[28] *Ibid.* pp. 7-9, *passim.*
[29] Va. *Acts*, Extra Session, 1861, pp. 29-30.
[30] *Virginia House Journal*, Adjourned Session, 1863, p. 294.
[31] Va. *Acts*, 1863-1864, p. 3.
[32] T. J. Jackson to J. M. Bennett, February 28, 1862. An attested copy of this letter is owned by Mrs. Agra Bennett McKinley, Wheeling, West Virginia; it was made in 1907 by Mrs. McKinley's father, Louis Bennett. A photographic copy is also in the Cook collection.

now within the United States' lines, were getting into an unenviable condition. As early as August, 1862, his wife, Margaret Elizabeth Bennett, had been required to give security for the deliverance of all personal property to the United States Marshal in September.[33] In June, 1863, Mrs. Bennett and three of her four children were arrested, along with a number of other Confederate sympathizers, and transported across the battle lines.[34] The Bennetts were able to reach Richmond only after much exposure and a difficult trip of ten days duration.

Shortly after the expulsion of his family, the United States brought suit against Bennett's real and personal property, and when he was adjudged to be in rebellion, the property was confiscated. The real estate was turned over to a receiver, Blackwell Jackson, and parts of it were rented where possible. Bennett's personal and law libraries were carried to Clarksburg and there sold at auction. The litigation in this case was so extended that it had hardly been brought to a close[35] when Robert E. Lee surrendered to General U. S. Grant at Appomattox on April 9, 1865.

With the collapse of the Confederacy, Bennett and the other high officials of Virginia's government became, for a time, fugitives. Bennett, however, applied to President Andrew Johnson for an executive pardon and then in July, 1865, returned to his old home at Weston. He found many changes, and one of the greatest was that Weston was now in the recently formed, new state, West Virginia.

In August Bennett reclaimed his real property. In November he was permitted again to take up the practice of law.[36] Soon he and thousands of other returned Confederates had taken up the threads of their pre-war lives. Indeed,

[33] W. B. McNemar to J. M. Bennett, August 20, 1862, *Bennett MSS.*

[34] For a more detailed account of these events see an article by the present writer, "Portrait of a Lady, Margaret Elizabeth Bennett," in the *West Virginia Review*, August, 1939. The oldest of the four children, William George, was at the time of the arrest a student in the Virginia Military Academy; he later saw service in the battle at New Market and in the defense of Lynchburg. The younger of the two sons, Louis, became an Ensign in the Confederate Navy before the war closed.

[35] The records of this case, from the bill of information through to the final accounting by the receiver, Jackson, were later copied, attested to, and sent to J. M. Bennett by the clerk of the United States District Court at Clarksburg, Thomas Y. Moore. These copies are in *Bennett MSS.*

[36] *Lewis County Circuit Court*, "Law Order Book," 11, 1865-1868, p. 1, in the office of the Clerk of the Circuit Court, Weston, West Virginia.

it soon became apparent to the Republicans in control of the State government that the "rebels," acting with loyal Democrats, would form a majority of the voters in the State.

Consequently, those in power instituted a policy of rigid proscription of ex-Confederates. By means of test oaths the latter were rendered unable to teach school, practice law, act as plaintiffs in suits, or vote; moreover, they could not even be citizens of West Virginia.[37]

Continued adherence to this undemocratic program by the "Radical" Republicans led to disaffection within their ranks. The "Letup" Republicans broke off and joined with the Democrats who were now operating under the name "Conservatives." This coalition was successful in turning the Radicals out of office in the autumn elections of 1869, and within the next two years the proscriptive measures were stricken from the statute books. The Democrats now won sole control of the government, and, taking advantage of their opportunity, in 1872 they wrote a new constitution for the State.

Meanwhile, Bennett had again entered with vigor into business and political life. His knowledge of Virginia's fiscal affairs was called into use in 1871. That year West Virginia's governor, John J. Jacob, appointed him to serve on a commission to adjust the debt dispute between the two Virginias.[38] This controversy had arisen as a result of the provision in West Virginia's constitution, drawn up in 1862, which stated that the new state would assume "an equitable portion of the public debt of Virginia as of January 1, 1861."

The debt commission, the other two members of which were General John J. Jackson, of Parkersburg, and Archibald W. Campbell, editor of the *Wheeling Intelligencer,* undertook a detailed study of the problem. In December, 1871, the commission reported to Governor Jacob that according to its findings West Virginia's share of the former

[37] *Acts of the Legislature of West Virginia,* 1866, *passim.* For a more detailed discussion of this period of West Virginia's history see Ambler, *West Virginia,* pp. 359-364; also an account by the present writer, *The Conservative Re-action in West Virginia,* 1865-1871, pp. 11-18, an unpublished Master's thesis in West Virginia University Library, Morgantown.

[38] John M. Phelps to J. M. Bennett, July 25, 1871, *Bennett MSS.*

state debt was $953,360.23.[39] Virginia, however, would take no interest in the commission's report. Officials of the Old Dominion had tried on several previous occasions to arrange a settlement with the new state. Failing in this, Virginia had funded her debt, which in 1870 was about $45,000,000, by issuing new bonds for $30,000,000, and by issuing what were called "West Virginia Certificates" for $15,000,000.[40]

Bennett now entered more directly into politics. In August, 1872, he was elected to the upper house of the State legislature as one of the two senators from the ninth district. Soon after the senate convened in November, 1872, Bennett emerged as its most powerful member. He was made chairman of the finance committee; he was a member of the committee on rules, on the judiciary, and on public buildings and humane institutions.[41] The chairman of the committee on the judiciary was Gideon D. Camden, Bennett's law partner of nearly thirty years before. These old friends, "Jonathan and Gideon, mighty servants of the Lord," as they were dubbed by the newspapers, soon became the directing forces of the legislative session.

One of the matters to which Bennett immediately turned his energies was the West Virginia-Virginia debt question. His finance committee submitted a report in December, 1873, adopting an entirely new principle on which to reckon the settlement. Ascertaining that Virginia had issued her first bond in 1822, the committee took that year as the starting point. The report then showed that in the succeeding years to 1861, Virginia had spent in the counties comprising West Virginia a total of $3,366,929.29; in the same years these counties paid into Virginia's treasury a sum amounting to $3,892,000, in addition to an equitable share of the expenses of the state government. Striking a balance from these figures, the report asserted that Virginia was indebted to West Virginia to an amount ex-

[39] *The Virginia Debt, Report of the Senate Finance Committee*, p. 9. This pamphlet contains the report of the three commissioners as well as the later report of the Senate finance committee. Hereafter called *Va. Debt Report*.

[40] Pearson, C. C., *The Readjuster Movement in Virginia*, (New Haven, 1917) p. 30.

[41] *West Virginia Senate Journal*, 1872-1873, p. 50.

ceeding $525,000.[42] This report became the basis for West Virginia's argument on the subject and remained so until after the dawn of the twentieth century.

Other matters with which Bennett concerned himself in the senate covered a wide variety of subjects. Revenue laws and appropriation bills were of first concern; then too, there were land laws in which he was vitally interested. He tried to elect Gideon D. Camden to the United States Senate but failed. He and his partisans were able, however, to use the senatorship contest as a lever with which they lifted the State capital from Charleston and put it back in Wheeling for ten years. The legislature revolted against the governor and sheared him of most of his appointing power, and indirectly out of this dispute came the impeachment of the State auditor, Edward A. Bennett. On the question of his culpability, Jonathan M. Bennett voted "guilty."[43] By this vote forces were set in motion which prevented Senator Bennett from being re-nominated in 1876 to succeed himself. He never again became a candidate for public office.

During the remaining eleven years of his life he maintained a lively interest in politics, but more and more he turned his attention to legal and business matters. His extensive law practice kept him traveling about over the northern and central parts of the State. He was one of the prime movers in the successful completion of the Weston and West Fork Railroad and the Weston and Buckhannon Railroad. He was president of the latter company at the time of his death. These two railroads gave central West Virginia its first rail connections with the outside world. In addition to these interests, Bennett continued his real estate operations and became one of the largest landowners in West Virginia. His death, on October 28, 1887, brought to an end a long and active life, forty-five years of which had been spent helping to make the history of Virginia and West Virginia.

[42] *Va. Debt Report*, p. 7.

[43] *Proceedings of the Senate Sitting for the Trial of the Impeachment of Edward A. Bennett, Auditor of the State of West Virginia*, p. 67.

The Memorandum of William Whitteker—Part I

Edited By Elizabeth Cometti

William Whitteker was born in Princeton, Worcester County, Massachusetts, on January 14, 1775.[1] He was the eldest of twelve children born into the modest household of a farmer who also plied the trade of carpenter. Until the age of twenty, William followed in the footsteps of his father and learned to be "half a carpenter and half a farmer." Although during these years he received little formal education, he managed "to learn to read and write and cypher as far as the rule of three." Not satisfied with this, he broadened his mind by studying "many Books of a Lybrarie in the town." Perhaps it was these books read by a "fine light" at night which influenced young Whitteker to try his fortune in Boston. At any rate, he obtained the reluctant consent of his father to leave Princeton and, in April of 1795, he set out for Boston. Here he readily obtained work as a carpenter.

Whitteker's adventures during the next fifteen years are recounted in his Memorandum. In 1810, when the manuscript comes to an abrupt end, Whitteker was engaged in the manufacture of salt and was also postmaster at Kanawha Court House, now Charleston, West Virginia.[2] How long he continued in the former business is not known. Whitteker was not among those who entered into the famous Kanawha salt trust of 1817,[3] hence it is likely that he had either sold his interest in the business or was regarded merely as a "little man." But whatever might have

[1]Except when otherwise noted, the following sketch of Whitteker is taken from the preface to his Memorandum.

[2]W. S. Laidley, *History of Charleston and Kanawha County West Virginia* (Chicago, 1911), p. 164.

[3]See Charleston (W. Va.) *Gazette*, July 25, 1920, for copy of the contract drawn by the "Kanawha Salt Company."

been his occupation at the time, there is reason to believe that Whitteker was enjoying prosperity. During this year he was baptized into the Presbyterian Church by the young missionary, Dr. Henry Ruffner,[4] and the two men became devoted friends. Years later, Dr. Ruffner liked to recall how his "good friend," William Whitteker, had taken a leading part in collecting funds to remunerate the youthful preacher.[5] And while Ruffner was teaching for the enormous sum of five dollars per session at the Mercer Academy,[6] his "best friend," William Whitteker, gave him a half year's board gratuitously.[7] Generosity of this sort does not bespeak poverty.

Very little is known of Whitteker's later years. In 1838-40 he was toll collector on the Kanawha River at Charleston.[8] It must have been about this time or shortly thereafter that he met with the serious business reverses which eventually reduced him to poverty. In the face of his financial embarrassment, he remained the soul of honesty and scorned to defraud his numerous creditors.[9] Whitteker died at Burlington, Iowa, on March 12, 1853, while on a visit to his daughter, Mrs. Philena Anderson.[10]

The manuscript containing the Memorandum of William Whitteker was rescued, in 1894, from the oblivion of an ash barrel by a member of the West Virginia Historical and Antiquarian Society.[11] Time and neglect, however, had already left their ravages. At present, both covers and some pages of the manuscript are missing; occasionally the writing is almost obliterated. Although the Memorandum was written many years after the events described had oc-

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[4]Teacher, preacher, and author. Sketch in *Dictionary of American Biography*, XVI, 217-18. See also Dr. W. H. Ruffner, "The Ruffners—No. IV, Henry," *The West Virginia Historical Magazine*, II, (April, 1902), pp. 60-74 and *ibid.*, (July, 1902), pp. 36-44.

[5]*Ibid.*, (April, 1902), p. 71.

[6]For details of this first academy established in Charleston see also "The Ruffners—No. III, David," *ibid.*, (Jan., 1902), pp. 46-47. Mercer Academy was incorporated November 29, 1818. Virgil A. Lewis, *West Virginia Handbook* (Charleston, 1904), p. 94.

[7]*West Virginia Historical Magazine* (April, 1902), p. 72.

[8]Laidley, *History*, p. 166.

[9]*West Virginia Historical Magazine* (April, 1902), p. 71.

[10]George W. Atkinson, *History of Kanawha County* (Charleston, 1876), p. 278.

[11]Correspondence with Miss Edna C. Skinner on file in the West Virginia Department of Archives and History.

curred, the inclusion of certain details point strongly to the fact that Whitteker must have relied on copious notes as well as on his memory. This alone would account for the remarkable accuracy which characterizes the narrative.

For convenience in publication, the Memorandum has been divided into two parts. The first of these extends from 1795 through 1800 and deals principally with Whitteker's adventures at sea. During these years, French depredations against American commerce increased as a result of three decrees. On July 2, 1796, the Executive Directory announced that neutral vessels would be treated in the same manner as they should suffer the English to treat them, either as to confiscation, as to searches, or as to capture. The wide latitude afforded by this decree, however, did not prove nearly so disastrous to American commerce as the sixth article of the decree of March 2, 1797. This latter declared that every American ship not having on board a list of the crew in proper form (role d'equipage) should be considered "a good prize." On January 18, 1798, the French Republic adopted a third decree designed chiefly against American commerce. Henceforward, "every vessel loaded, in whole or in part, with English merchandise" was to be declared lawful prize, whoever might be the owner of the said merchandise.[12]

As if injuries to the purse were not sufficient, the French Directory proceeded to insult American pride. Accordingly, when President John Adams exposed the disgraceful details of the X Y Z affair, American feeling against France reached its zenith. Immediately Congress took positive steps to provide for our naval defense. On April 30, 1798, the office of Secretary of the Navy was established.[13] By a series of acts scattered over a period of several months, Congress authorized the building of numerous vessels vary-

[12] *State Papers and Publick Documents of the United States* (Boston, 1819), IV, 63-80. *American State Papers, Foreign Relations* (Washington, 1832), II, 151. Gardner W. Allen, *Our Naval War with France* (Boston, 1909), Appendix III. The first of these contains an elaborate protest against the röle d'équipage. *American State Papers,* III, 265-292 has an incomplete, but withal imposing list of American vessels captured by the French during 1796-97.

[13] *The Public Statutes at Large of the United States of America,* ed. by Richard Peters (Boston, 1850), I, 553-54.

ing in size and strength.[14] Moreover, direct retaliatory measures were taken against France, the principal offender at this time.[15] One of these provided for the seizure of French vessels.[16] Another suspended commercial intercourse with France and her dependencies.[17] On the seventh of July an act was passed "declaring the treaties heretofore concluded with France no longer obligatory on the United States."[18] And as a final precaution for the protection of American commerce, letters of marque were issued to owners of merchant vessels.[19] Such, in brief, is the background for the following events described by William Whitteker.

In April 1795 I went to Boston to work at the carpenters trade here I continued to work spring summer and fall for near two years but spent the winters in princeton with my parents and the family distance of travelling up and down 6 times 300 miles

1797 in February 15th I took a notion as most all the yankies do when they start off any where well I took the stage to Providence Rhode on my Route to philadelphia 45 miles

here I took a packet by water to New port 30

here I was detained 10 days waiting for a pasage to Phila at last worked my pasage on board of the ship called the Arab of Phila here I staid 10 days on board before she sailed miles 385

March 2nd with a fair wind and weather all day — at night the wind begining to blow a gale from south called all hands reefed top sail — the wind right ahead and a heavy sea a going — I never having been at sea before I was dreadfull sea sick you may be sure I wished myself at home and I thought to myself that I would rather live on shore on bread and water then be at sea an hour again — March 3d called all hands to take in sail it blowing a gale from North West — the Captain sent me down in the steerage to strike a light — I had allmost as soon the ship had gone to the Bottom as move — I let fly from my mouth a stream a fathom long — some of the sailors laughed and some cursed and others said Damn your eyes you boogar go on deck and spew I weathered away on it for four or five days before I got well of my sea sicknes I lived in the cabbin with the Captain and having no cook on board I cooked for the Captain and mate and slept in his stateroom — we were called to keep watch at night — a greenhorne like me would

[14] *Ibid.*, pp. 556, 569, 575-76, 621.

[15] The impressment of American seamen into the British naval service was also causing no little trouble and humiliation. See, for instance, the case of the *Baltimore* well outlined in Charles W. Goldsborough, *The United States Naval Chronicle* (Washington, 1824), I, 115-24.

[16] *Statutes at Large*, I, 561.

[17] *Ibid.*, pp. 565-66.

[18] *Ibid.*, p. 578.

[19] *Ibid.*, pp. 572-73, 578-80.

have been of no use on deck at night — this pasage has been an exceeding cold with continued gales from North West — March 9th got a pilot and the 10th arrived at Philadelphia —

from Newport to Phila. Distence 385
600
985

I went in search of my relative found Norris Standly[20] — his wife a cousin of mine with whom I boarded while in Phila. while here I went a Navagation School four weeks — not withstanding all the dreadful sea sickness cold weather and gales of wind which I experienced in coming to Phila — I now come to the determination to make a voyage to China — the New and beautiful ship New Jersey was just about shepping her hands for the voyage I crouded in among the rest and put my name down too as Carpenters mate for Canton in China on the ship New Jersey of Philadelphia George Clay master[21] — with 3 super cargoes and two mates with one Doctor[22] — Boatswain carpenter — and one sailmaker 12 hands before the mast all old sailors with steward cook and boys making in all 34 for the whole ships company 25 to 28 hands imployed in binding sails and cables and getting ship stores on board and [torn] water casks and takeing [illegible] and 18 tons of fine [torn] and 250,000 dollars in specie for the voyage — 28th the pilot come on board got ship got under weigh and droped her down to Glosester Point 3 miles lay all night 30th got under way and ran down to New Castle come to anchor lay here 3 days took in live stock for the voyage.

May 3rd sailed again for the Capes with a fair wind — May 6th left the Capes of the Deleware set the pilot ashore at 6 p m Cape Henlopen bore West Ward for 8 leagues May 20th second mate and the carpenter a six feet red headed Scotchman fel out which brought the Capt and super cargoes on deck at 11 oclock sprang the fore and main top gallant mast called all hands to clear the wreck

May 26th we crosed the Equatorial line a pleasant voyage so far the Captain officers and super cargoes never having crosed the line before would not permit the usual ceremony of shoving and ducking as they allways begin with them first — but they sent plenty of grog to the old sea dogs which satisfied them —

June 18th 47 days sense we left Cape Henlopen — the Capt put all hands on allowance of water two quarts a day and not half pasage yet — Friday is the day we have to wash and mend our clos — Saturday

[20]William Whitteker named his first-born (Feb. 3, 1807) Norris Stanley Whitteker. Atkinson, *History*, pp. 278-81.

[21]The *New Jersey* was a ship of 401 tons. According to its register, it was owned by the house of Nicklin and Griffith of Philadelphia. *Naval Documents Related to the Quasi-War between the United States and France* (Washington, 1935), II, 182. There is good reason to believe, however, that the *New Jersey* was partially or altogether English property and that Nicklin and Griffith were only the commission agents of an English house. *American State Papers*, X, 491-92.

[22]Dr. Thomas Henry, Jr. He it was who came to Philadelphia and contacted Nicklin and Griffith after the capture of the New Jersey. *Quasi-War with France*, I, 199.

is allways the day to scrub and cleaning the ship and sprinkle with vinegar the Cabbin midship and the forecastle below deck Ship stores and fare for every day in the week Monday Beaf and Bread — Tuesday Beef and potatoes — Wednesday pork and Beans — Thursday pork or Beef and sour crout — Friday pork and bread — Saturday Bread Beef and potatoes if we have any — on Sunday we allways have sea pie — (at home called pot pie) if we have any fresh meet to make one if not — the cook makes a large flour pudding mixed with clean slush on top of the pot saved from boiling Beef and pork — with this he mixes his crust for the sea pie — We also have corn meal mush twice a week for Breakfast about a gallon and a half of Molases for six in a mes — this is put in the kid — (something in the shape of a keeler) and a point of Molases — poured in the center each one sitting with his iron spoon and helps himself as suits him best —

June 29th up with the Cape of Good Hope middle winter here and very cold weather and heavy gales —

July 13th 70 days from Cape Henlopen saw the Island of Saint Pauls a small barren Island of Rock we ran within one mile of it we could see only a few shrubs growing on it —

July 16th this day a distresing and malancholy accident happened to us this day Mr. Gordon the chief mate fell overboard and lost after every exertion was made that could be made to save him — The Jolly Boat was sent for him but could not find him suppose some shark must have caught him and took under — The ship was running eight miles per hour at the time round her too with all sails set carring away many small spars —

July 18th carried away our main top mast and mizzen top mast at 7 p m called all hands to clear the wreck — in the morning got new masts up — and sails set — — — —

July 29th this day got round Java Head into the straits of Sunda — here we had to keep the 16th lead allways going in all this strait sounding 5 to 20 fathoms

July 30th Runing near a small Dutch station on Java Island there came off to us as we lay at anchor 7 Malay prowls with a Dutchman in each otherwise they would not have been allowed to come nigh us — We carry our guns to defend ourselves from these savages we saw at least 100 other boats in sight the Boats made fast to us had turtle of which the Capt bought 11 for $15 weighing from 50 to 100 each we had turtle soup all the way to Canton — Besides these Indians had fowls monkeys fish bananas oranges Eggs and Sugar — these savages are about the size and collour of American Indians

August 4 left the straits of Borneo now in the China Seas

August 14th We got into Macao Roads the pilot come on board and took us up to Bogatigris[23] here two Manderines come on board with a pass

[23]Boca Tigris.

for the ship and another pilot for Wampoo[24] — arived safe and moored ship Distance of pasage 20000

miles 20-985

here we lay for three months or nearly here our ship was striped and overhauled and riggin and sail repared for starting home while the Carpenter and myself his mate — overhauled and caulked all the uppor works sides and decks of the ship —

Now began to take in Cargo of Teas of all kinds and China ware with Nankeens silk a few Boxes pulverized loaf sugar and some of Rhubarb this was our homeward cargo[25] — while here all hands were allowed three days to Canton to make their little trades lack of money made them very small — I went up a number of times with the Captain and super cargoes to help pull the pinance the Capt Boat of six oars with our stars and stripes flying — all shipping lay at Wampoo 16 miles from Canton not allowed to go any higher

November 10th this morning the Chow Chow Chop or the last of 14 Chop loads which completed our cargo — Caulked down the hatches the super cargoes came on board with the pilot got our ship under weigh for home

November 12th set the pilot ashore at Macao and left with a fresh Breese to cross the China Seas — the wind called the monsoon having changed to the North East in October — the winds in the China seas and straits of Borneo and Sunda and the Indian Ocean allways blow from October to April from N.-E. and from April to October from S-West however it has been observed that about one month before the change of those winds these seas are subject to calms and Huricanes —

November 20th made the straits of Gaspa[r] the Captain prefered these straits to Borneo to keep out of the way of cruisers[26] — the island of Sumatra makes one side of all these straits — Nov. 24th got into the straits of Sunda past these straits and got into Indian Ocean —

December 26th saw the Isle of Borbon[27] whose form is like great hay stack we saw it 20 miles by the run of our ship — when abrest of it we could see the clouds strike one third or half way up divide and go round on either side — there appeared to be low table land round the bottom of this mountain where the Coffe is raised

January 3rd saw the Cape of Good Hope distance 10 Leagues — coming on to blow a gale took all sail except the main and main stay sail laid the ship too four days when it cleared up saw the Cape of Good Hope again and left with a fair wind 61 days from China —

February 13th 96 days from China expected to be home in a few days —

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[24] Whampoa.

[25] It was later alleged by M. Barbe Marbois, French Minister of the Public Treasury, that the *New Jersey* was loaded from the English factories at Canton. *American State Papers*, X, 492.

[26] The East India trade was rendered particularly hazardous by the activities of pirates and sea rovers. *Quasi-War with France*, I, 5.

[27] Bourbon or Reunion Island.

at daylight this morning we saw a sail ahead standing towards us she hauled her wind and run to windard of us she hoisted French Colours and fired three guns with round shot and grape which by good luck took the water and did not reach us[28] — She hailed us in broken English and ordered us to send our Boat aboard of his brig the Capt sent the first mate and 4 hands which to our surprise returned with six French -men and a prize master[29] they continued exchangeing untill they got 23 of us on board the privateer then said we were their prize then bore away for Porto Rico a spanish island she was a Brig of 16 guns with 100 men — Spanards and French and Creoles[30] — the same night the French called us all aft and said if we behaved well he would treat us as well as his own people but if we made any disturbance by God we cut you to pieces so we told him we would behave ourselves — they turned all down in the hole at night with strong guard at the hatchway to sleep on the ballast stone — and other rubish this we fared three days and nights

Feby 16th Close in with the land saw the harbour of St Johns Porto Rico at 10 come to anchor in the harbour here they kept us untill March 7th on board the privateer our fare for eating was poor in the extreem — it was tripe and chitlens and any kind of offal meet that was to be had in the market sometimes black eyed peas and bread of which we had a small allowance and in addition to this they stole all our clothing except what we happened to have on our backs[31] — all the close I had left me to wair at this time was a flanel shirt — one pea jacket — one Tarpolin hat covered with tared canvas and one pair of old trowsers with canvas patch on behind and down the fore part of the legs nearly all the way and barefoot this was all my ward robe March 8th Went ashore for the first time in this place — No one belonging to the ship was allowed to go of the vesel or a shore — the ships hatches were all sealed down by the French Consul the next day after we came into port so we could get none of our cloes that might be left out of the ship — well could not help but think this was hard times for poor Jacks first voyage — two of the super cargoes of our ship were ashore they spoke to four of us that were ashore together — if were willing to take a trip to St Domingo to see how the trial of the ship was coming on to which we all agreed — they hired a six oared open boat with two small masts and sails — we made ready — March 9th at 9 at night after the city gates were shut — having everything except water we all went privately into the Boat — having our oars muffled in the rowlock that we could row without making the least noise for we had to go close by the privateer that took us for

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[28]This was the French privateer *La Bourdaine* (Capt. John Pellot) of St. Domingo. The capture of the *New Jersey* took place in Latitude 23°30′ N., Longitude 62° W. *Ibid.*, II, 162.

[29]The *New Jersey* did not have a röle d'équipagé. *American State Papers, Foreign Relations,* II, 774. The decree requiring a röle d'équipage had not been previously announced to the government of the United States before it was put in practice, hence the *New Jersey* had started without one. *American State Papers,* IV, 76-77.

[30]France and Spain were allies at this time.

[31]This was not unusual. See *ibid.*, III, 170-78, 186ff.

they would not allow any one belonging to our ship to go down to St Domingo to attend the trial of our ship[32] — the reason we had to steal away — Well so we started with a boat with two spanards a little a head to pilot us out of the harbour — 7 of us in number one a Frenchman who had been taken as we were in like situation. We rowed gently on untill we cleared the Harbour and then discharged our pilots got about three miles at 11 oclock made sail we found ourselves clear of the Harbor and Forts we continued to run along down the land all night with a light land wind for the wind allways blows off the land at night — the N. E. sea breeze set in at 9 or 10 in the morning and blows all day March 10th in the morning at day light we found we had run about 20 miles from the city we heard several gun at the city being calm we were obliged to row 4 hours when the sea breeze set in we had as much wind as we could carry sail too — and at 6 P. M. were down to the west end of the island we hoisted French colours and put French cockades in our hats we run in here to a place called Aguadille belonging to Spain but at this time the French had the controul of all these sea port towns of these Islands — we run in here to get water for the rest of our voyage which is 310 miles — Our Frenchman they might not suspect our business told them he was a prize Master of an American Brig and was going to St. Domingo for the trial he could speak good English French and Spanish — we filled two kegs of water and laid in such other stores as we could get which were small and sailed again at 8 oclock P. M. with a clear sky and fair wind — to cross Mona Pasage 200 miles wide between the Island of Porto Rico and St Domingo in our little open Boat — We only had a compass to stear by — No light we had to light a cigar to look at the compass then take a star to stear by to keep the right course March 11th saw the Island of Mona half way acros — there being a heavy sea going and calm we were obliged to row half this day to keep the sea from setting us on the Island the shore lined with high rocks At 7 oclock at night it began to look very black and dark to North of us — at 10 began to rain and blow like a huricane myself being at the helm kept the boat away right before the wind and the others took in all the sail and we scuded under bare poles till 11 oclock the sea running very high and began to comb with white caps we expected every moment when they would break into our little open boat and send us all to old Davy Jones locker — which lays at the bottom of the ocean — we took reef in the foresail and set as much sail as we could to keep the boat ahead out of the way of the sea that was breaking behind us — In about an hour the wind died away calm and we were safe it rained very — very hard most all night with the rain and breaking of the sea into us kept two hands constant bailing during the storm and rain —

March 12th saw the east end of St Domingo being calm rowed greater part of this day and night and run outside of the island of Siona which

[32]St. Domingo was a French possession, whereas Porto Rico was, nominally at least, a Spanish possession. The register, log-books, and all the papers pertaining to a captured vessel were often sent to St. Domingo for a one-sided trial, while the vessel itself remained in Porto Rico. *American State Papers*, III, *passim*.

lies on the S. E. point of St Domingo when had we known might have run inside sound 10 miles — continued to run along shore — but we lay by 3 hours this night for fear we should run past the Harbour — when we were not within 60 miles of it —

March 13th this day continued to run down shore with a fine breeze — our provisions getting short we had only one biscuit per man this 24 hours — we had a little water left and some gin and a small piece of Cheese —

March 14th this mornning we divided our stock of provisions 3 bisquet for four of us for this 24 hours a little water left yet and no sine St Domingo yet — At 8 A. M. spoke a Spanish fisherman at anchor near shore who gave us a part of a baked fish and 3 cakes of Kisada Bread which was thankfully received — who told us it was ten Leagues to St Domingo — and being calm most of this day and night we had to row and raining verry hard most of the day — At 6 P M saw the City St Domingo distant 4 leagues — here we were sudenly surprised by a Grampus that jumped out of the water not half our boats length from us — had he fallen on us would have dashed our boat to pieces and us all have gone down with it — the Grampus I think are a small whale — we have so far been preserved by a kind providence on this perilous journey — At 11 at night saw the lights in the city — pulled into the harbour unpercieved by the Guard it being verry dark and at 12 oclock we got along side of a schooner of Boston here we met with a kind reception — and they happened to have left from their last meal — Kid of pork and beans with bread — which we supted and nothing ever tasted so good before or sinse — for I never was so hungry and tired before — after supper myself and one hand went and slep on the stearn sheets in our boat making an awning with one sail spread over a boom — There was left in the stern locker by the officers a Bottle of good old Madeira wine we divided that between us — we laid down and slept sound untill morning — when we waked up a Spanish officer of the guard house was standing over us cursing very hard in Spanish being a strange Boat and not knowing how it came there — however the French Captain settled the business with him —

March 15th we lived on board of this vesel one week — when she sails for another port on this Island —

March 22nd the super cargoes put us on board the schooner Friendship of Boston here we lived 16 days — in Idleness and discontent waiting to hear the fate of our ship but could get nothing but put offs and delays

April 3rd by this time the Friendship sailed for Boston — and then they put us on board of the schooner Orange of Boston here we remained until the 13th when the schooner Swift arived from Philadelphia dispatched by the owners of our ship to carry on the trial of the

ship Likewise brought an American Consul for the City of St Domingo[33] here we continued two months and no news about the ships trial —

A ship taken and brought in here from Charleston S. C. — laden with Rice bound to England and condemnd — as I had no employment I worked on board of her one month at $20 dollars per month to get me some clos for I was hard run for that article and cigars for I smoked 25 pr day when to be had them —

June 24th I heard some news that our ship was condemnd[34] I applied immediately to the super cargoes to let me go back to Porto Rico to which they unwillingly consented what made us more anxious we expect that the ship hatches would be oppened and the French Rascals would steal what few things we had left — we got a pas from the French Consul to Porto Rico — they gave a protection and ten dollars apeace for two only of us to bear our expenses One Captain Work went along with us we made him our guardian he being better acquainted with men and things than wee

So we took pasage in Spanish launch or small schooner — 3 of us with 9 Spanards and sailed about dark and run up the land Breeze all night

June 26th this day a fresh breeze right ahead — we were obleige to beat all day at night come to anchor close in shore and lay all night — in the morning got under way and come too again in the pasage between the little Siona Island and the main land of St Domingo — Here we lay for two days — sailed again got clear of this pasage — light wind and fair weather

June 30th fair weather at 12 oclock came to anchor under the lee of Mona Island myself and six others went ashore to see if we could find any game but could [not] traveled all the way near the sea shore pased a little town called Miuguine[35] here lay several vesels 3 of them Americans prizes brought in here by French privateers — put us this night at good natured young Spanards who gave us a good supper and lodging and feed for our horses —

July 5th prepare to start before day light but the good Spanard was up before us and would let us go untill we had taken a cup of coffee some fricased chicken and rice and then refused to recive any pay for all his trouble he had beautiful little son playing round us I gave him

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[33]This was Dr. Edward Stevens. Allen, *Naval War with France*, p. 114. Dr. Stevens also acted as agent for Nicklin and Griffith. *American State Papers*, X, 489. Much was hoped from the good offices of Dr. Stevens. Secretary of the Navy Stoddert wrote to Captain John Barry on July 11, 1798: "The ship *New Jersey*, Capt. Clay, from the East Indies, the Property of Messrs. Nicklin & Griffith has been captured by the French and carried into St. Johns in Porto Rico. These Gentlemen expect that the Ship & Cargo will soon be in the Power of their own Agent, Doct. Edward Stevens at St. Johns. The duties this Vessel will pay to the Government, if she arrives safe, make her an Object meriting Public Protection to say Nothing about the duty of Government to protect the Property of all it's Citizens." Barry, therefore, was instructed to convoy the *New Jersey* home provided she could get out of the harbor of St. Johns. At the same time Barry was to ask the Governor of Porto Rico for the return of American seamen stranded in St. Johns. *Quasi-War with France*, I, 190-91.

[34]A judgment pronouncing the confiscation of the *New Jersey* and its cargo was handed down on the 17th Prairial, VI (June 5, 1798). *American State Papers, Foreign Relations*, II, 774.

[35]Mayagüez?

a dollar and said Adieu Seignor — and we set out for Aguedille this is the town we stop at when going down in the Boat — passed this town proceeded on our way over hills and mountains and rivers a rough road and only a foot path all the way saw coffee groing spontaneous along the road and the hill and mountain sides yellow with the sour orange This night the house of a preast brought us up we entered the house and asked for supper and lodging they said yes we called for some milk which was soon brought but we concluded they had made it half water — here we lay all night on a dirty floor with plenty of fleas at day break we ordered our Guides to get our horses we all started with out saying Adieu Senora to our Landlady

July 6th this day fair weather a rough road this day over hills and mountains for 15 miles without a house one high mountain the path run up in a serpantine form say 2 miles here we met 100 Spanish Soldgers who were very polite saying as we passed adieu Segnor ferryed some river by caneau this day stopped at night at or near old house we were obliged to lay in a sort poor old Hammock wove in corse marshes like fish net — I slep as uneasy as if we had been in iron all night we set out this morning before day break for St Johns where our ship lay we Arived at a River 6 miles from the city here hired a caneau to take us over for we had to cross the Harbour to get to the city at 2 P M arived — at the city — our ship still lying safe moored here I found about half of my old shipmates — the others some had gone home one or two wild boys had gone on board of French privatiers[36] and one had got his head shot off — we all went on shore and took a bottle of wine together in my long absence all the ships company that remained were put by the French on board of an old hulk of a ship laying in the Harbour about a mile from shore with the liberty to go ashore every morning to draw our rations which some meat and Bread & bottle of Rum to each mess — in lue of coffee
This old ship we used to call our prison ship but we could go ashore when we please in the day time — but we had no money to spend and hardly close to wear — sometimes we could get work for a day or two to raise a little for cigars and tobacco to chew — at this time I smoke my two dozen per day when they could be had — I drank no spirits at all by this I believe is one cause of my having good health — while the Rum drinkers were dying with yellow fever like rotten sheep — all round me — but how soon my time may come to go too God only knows my times are allways in His hands and there I allways leave them and they will be safe allways there

July 9th the prize Master of our ship opened the hatches to give the people their close but I believed their chief object was to plunder us of the

[36]This was not unusual. Secretary of State Pickering wrote to Josiah Parker, June 13, 1798: "Lately two vessels arrived at Philadelphia from Porto Rico, and each brought as many American Seamen (about Sixty in all) as were willing to return: for many declined the invitation; *chusing rather to enter on board French privateers.* *Quasi-War with France,* I, p. 113. More serious were the instances of American citizens being financially interested in French privateers or even commanding the latter. Allen, *Naval War with France,* pp. 36-37; *American State Papers,* III, 259.

best of our close which they did over hauling every mans chest and took everything of any value we some of us got work at one dollar pr day for near a month on board of the ship Ocean — which was a great help to buy me close and cigars in my destitute situation —

August 13th Mr. Givson the super cargo arived from St Domingo who said the ship and cargo was condemnd as a lawful prize and they had bought her in again — then we took posesion of our ship — but our captors threatened to burn the ship as she had been condemned for the benefit of the French Republic alone and no share for them[37] — for our safty the Governor sent a guard of ten solders on board to Guard the ship

August 19th all hand went on board went to work and got her nearly ready for sea — When the French Consul come on board and ordered us all out of the ship again — and took all the sails on shore — pretending they were afraid we would run away with the ship some night — we had to watch night and day and sing out every half hour all is well the ten soldiers still on board for the French Raskels still threatened burn or cut her adrift —

The Captain hired a hous ashore for us to live in untill the business was further settled

August 27th early this morning Mr Gibson the super cargo sent for me by the 2nd mate that I must come to his lodgings which I did — he asked me if I willing to go to St Domingo again — I said yes I was willing to do all I could for the ship — He said he wanted me to go with a dispatch to the ships agent there this afternoon[38] — said he theres a schooner going to get you to go and bespeak passage — I did so — I returned told Mr. Gibson and made ready and let no one know where I was going — I then repared to the place appointed — received his letters wrapt them in my Handkerchief and tied around me under my old flannel shirt sailed at sunset — the 3rd day after arived at St Domingo went directly on shore and delivered my package to the ships agent as directed — went on board the Swift my old place of residence — very sickly at this place with yellow fever and vomite —

Sept 9th Doctor Stevens the agent sent for me again who told me he

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[37]Another instance of the venality of the French Directory. The Directory's agents in the West Indies were in the habit of placing a limit to the duration of the privateers' commissions. According to law, such privateers as continued to cruise *after* the commissions expired should have been considered as destitute of commissions, and if they made any captures, as pirates. But the agents of the Directory neither declared the captures void, nor treated the captors as pirates. The agents merely declared that the captors had no title to the captured vessel or cargo and kept both to themselves. This is exactly what happened in the case of the *New Jersey*. No wonder the captors, who had not been represented at the trial, objected! *American State Papers*, IV, 264; *Foreign Relations*, II, 774.

[38]Nicklin and Griffith were trying to redeem the *New Jersey* and its cargo. They succeeded, but not until they had paid General Hedouville, the special agent of the Directory in St. Domingo, over $200,000 in cash. This became one of the several complicating factors in the case of the *New Jersey*. A final settlement does not appear to have been reached until 1806. *American State Papers*, IV, 264; *Foreign Relations*, II, 774-75. See also *Annals of the Congress of the United States, Ninth Congress* (Washington, 1852), p. 166, and *American State Papers*, X, 491-92. Considerable material on the legal aspects of the case is to be found in the Pickering Manuscripts in the Massachusetts Historical Society.

wanted me to return to Porto Rico with some letters to Mr. Gibson the super cargo

Sept 10th at night sailed in a Spanish Schooner with two hands for our ship and 20 Spanard and frenchmen on board —

Sept 12th This morning saw three English ships of war at anchor under the west end of Siona Island[39] — our poor Spanard afraid put back behind a neck of land out of sight of the enemy and lay all day — at night got under way and stood to the south — third day come too in Aguidelle harbour lay one day sailed again and after beating to windward two days they come to anchor close in shore at a little town called Auricus 36 miles short of our journey end — here we could get no horses were oblige to walk the ballance of the way without a guide — After traveling 20 miles there being many cross pathes we missed our way and come out on the sea shore and night coming on and 3 miles from any house we concluded to make our bed in the dry sand we burrowed in it as well as could to protect us some from swarms of Musquetoes and other insects one of us keeping watch by turns while the other slept in the morning a Spanard come along and put us in the right path with directions — we marched on the first house we come to was one I had stoped at on the other trip by land — here we got our Breakfasts — set out again arrived at St Johns and our ship at 12 oclock Sept 30th Delivered my letters to Captain Clay of our ship all safe —

Distance run pasage to Canton	20985
" " " from " to Porto Rico	20000
Distance 2 trip from St Johns to St Domingo	1800
	miles 42785

November 19th and having got possession of our ship again we made ready for sea and home again[40] The schooner Swift arived from St Domingo with arms and Amunition we now mounted 12 six pounders and two 12 pounders and other arms in proportion and 69 men of all grades with the determination to defend ourselves in case of attact[41]

November 20th at 6 P. M. weighed our Anchor and set sail once more for the United States in company with the schooner Swift with fine weather for 3 or 4 days and then head winds blowing a gale from N. W.

December 5th we made the land to the so of Cape Hatteras with hard

[39]Secretary Stoddert wrote to President Adams on Aug. 25, 1798: "I know not how the British employ the immense force they have in the Islands—certainly not to afford much Protection to our Trade, nor to annoy much the Cruisers from any Island but that of St. Domingo, where they have views of conquest." *Quasi-War with France*, I, 336.

[40]There had been some delay in redeeming the *New Jersey* because a part of the money was at St. Thomas and had to be convoyed from there to St. Domingo. The Navy Department showed itself very amenable to the importunities of Nicklin and Griffith for assistance. Stoddert to Capt. Alexander Murray and Stoddert to Nicklin & Griffith, Sept. 28, 1798, *ibid.*, pp. 462-63, 464-65; Stoddert to Capt. Murray, Oct. 2, 1798, *ibid.*, p. 483.

[41]During the war with France American merchant-men used letters of marque chiefly as a license to defend themselves from hostile craft. French commerce had practically been swept from the seas by the British Navy. Allen, *Naval War with France*, p. 59; Edgar S. Maclay, *A History of American Privateers* (New York, 1899), pp. 219, 503.

storms next day saw many small vesels in shore of us but no pilot — At night we saw Cape Henlopen light house at night fired guns and hoisted a Lantern at the Maintop gallant mast head but no pilot cold rain and hail from the South East all night — laying of and on for a pilot

December 7th as we were running about 6 miles from shore south of the Delaware Capes at 6 P. M. our ship struck on Chincotiege shoal and heavy sea running she struck so hard that it broke and carried away our Rudder hinges and chains all gone but 8 or 9 feet at the upper end — after thumping 15 minutes we move ship by the sails and cleared the shoal without any other damage — we were obliged to stear the ship by the sails all night and the carpenter and myself his mate made New Rudder by splicing a spar to the head of the old one — and bolting spars together this artificial rudder we hung by 8 oclock in the morning by working all night I thought I never felt such cold weather before — having been so long in the West Indies and no winter close after this we were beating off the capes against the hardest gales from North West and cold cant tell how cold it was — still at night firing a gun every half hour with the Lantern at mast head and no pilot yet

December 11th beating into mouth of bay at 6 A. M. by the bad look out of the mate close under Cap Henlopen light house we struck on the shoal called the old hen and chickens a very dangerous place — here we expected to see our ship lost — but it happened to be low tide and the wind off shore and heaving many things overboard — we hove off by anchor & cable after thumping four hours here a pilot come on board — once more made sail for home — The wind coming cold and hard ahead from N. W. in beating up the bay the pilot plumped the ship in the mud on Bomba Hook Bar — here we lay 5 days and the sea running thick and hard made a bank as large as the ship on the upper side leaned her half over — we discharged half the cargo into Lighters — at last in the night in a cold North East snow storm hove her off — in the morning run up to reedy Island peers through feilds of ice could get no farther made fast behind the peers secure from ice — Lay here 5 weeks a long time for us — 42785

January 15th the River got pretty clear of ice an[d] moored from the peers and sailed up the River on the 16th there comming down fields of ice coming down so strong and heavy cut our cables in too — 17th Run into the peer at Marcus hook and Moored the ship again — laid here ten days — then sailed again for Phila where we at last arived safe after a voyage of 21 months and 8 days — where the generous Merchants paid all hands that staid by the ship their wages for the whole voyage according to their work — Thus ends my first voyage to sea

Distancs from Porto Rico home 2500

April 26th 1799 I now determined to take another voyage to China and as the ship wanted a great many repairs I went to work on board of her with the ship carpenter I worked 38 day at two dollars per day for which I received 76 dollars

15

wages last voyage 3.40

416

by cash recd 48 paid out on voyage for clothing and sundries
—— on hand for this voyage
$368

Distance miles 45,285

1799 Philadelphia May 9th I shipped on Board of the ship New Jersey for a second voyage to Canton in China and direct back again at twenty-four dollars per Month as Carpenters Mate — on the 13th sailed with four 100 hundred dollars as a venture as sailors call it from my saving from last voyage with money earned while repairing ship and advance pay when I shipped for this voyage besides paying for my board while ashore and some clothing for the voyage —

Our ship sails this voyage as Lettre mark mounting 14 guns 12-6′ an 2-12 pounders — 6 swinch — 10 Blunderbuses, 50 musquets 2 dozen of Boarding pikes — and amunition with 50 men Captain John Rosseter with 2 Irish mates[42]

May 18th Sail from New Castle down the River and bay beating down with wind ahead — 20th put the pilot ashore and left Capes once more for China —

May 22nd I was taken with violent pain in my back and bones and sore all over the Doctor gave me a dose of salts

May 23rd Still a pain in my back and bones the Doctor sent me some boiled chicken & soup and gave me dose of cream tarter

May 24th Doctor come down to me as I lay in my Hammack I felt rather worse he bled me took about 12 ounces of Blood very painfull night of it last night.

May 25th I had a breaking out all over my body I showed it to the Doctor he said it was the small pox and gave me another dose of salts — and said it was well for me that he bled me — I went on deck staid most of the day

May 26th the Doctor looked at me said he thought the pox was coming out very well and if I took care of myself I would have it favorable

May 27th the Captain ordered me not to come on deck again as there were some of the hands that never had the small pox — I now thought I should have a long tegous time of it below in my Hammack it called into exersize all my patience The good Doctor paid every attention to me that was nesesary by his advice washed my eyes every half hour with water to prevent the pox from effecting them — My feet were very sore having gone barfoot so much the other voyage — the skin on the bottoms of my feet was thick as leather the pox could not break through it — it was obleige to come all off whole they felt like a hot iron was held to them for three days the Doctor had to lance them to let the matter out My Midisene was at this time was a spoonfull of salts

[42]According to the Court of Claims Archives, the *New Jersey* carried only 10 guns. *Quasi-War with France*, II, 182.

and Molases and boiled rice sometimes chicken broth by the doctors orders crackers and preserves when I could eat them Thus I worried along for 4 or 5 weeks so weak that I can hardly move in my Hammack had I been in a birth the role of the ship would have torn all the skin off me — some account of this in my first dream written in this Book[42] — once writing it in the same Book is enough —

June 24th Come on deck the first time for 4 weeks feal very hearty but so weak I can hardly stand little more than skin and bones — My feet dreadful sore not able to bear my weight on them the skin entirely off the Doctor put plaisters on them many days — allmost obliged to creap on my hands knees

June 29th crosed the Equinoxtial line

July 1st Began to work to day — All Well this pasage of our ship to Canton the Route same as the other voyage we arived October 2nd at Wampoo in China and moored our ship 20000

October 3rd Captain and Super Cargoes went up to Canton to live while the ship stays to lay in the Cargo for home which was Teas Nankeens and China ware & silks and Rhubarb — This was done while all hands were overhauling and repairing ship for pasage home and having laid out my money for things to sell when I get home again — and a sett China with my name on it for own use — and other things — and the ship having all her Cargo on board we saild November 24th from Wampoo — following the same Route home as the last voyage (Except the West Indies) — we arived at Philadelphia April 2nd 1800 — All well

Distance run this pasage 21,000

and with my wages this voyage and with the sales of all the things bought at Canton made up the sum of one thousand dollars in specie to look at when I got home to my Father after an absence of three years and a half — in all this time I never spent any money like fool in bad company —

April 10th took a trip to Baltimore by water in a schooner —

	Distance	miles	500
To Washington City by stage	"	"	44
Returned to Baltimore		"	44
from Baltimore to Phila by sea		"	500
	total miles		87-373

In May I sailed from Philadelphia for Boston in a schooner and arived safe and by land to Princeton my old native home with $1000 — China and some other curiosities which made some of the natives stare who had never been further from home than Mill or to meeting — (Distance 800) Now spent sometime with my Friends in Princeton and Boston — (miles 88-273)

Sometime in June sailed again in the ship Favorite of Boston[44] for

[42]Found in the preface to the Memorandum.

[44]In January of this year, the *Favorite* had been attacked off Tarifa by two French privateers. A little later she successfully defended herself against four privateers and managed to get into Gibraltar. Allen, *Naval War with France*, pp. 238-39.

Malaga and up the straits of Gibratar with a cargo of Cod fish for the Catholicks to eat in lent and in return a cargo of wine Raisins and figs etc for the Yankies to keep thanksgiving with as is customary with them On our pasage out near the Banks of Newfoundland when all most calm we saw following our ship close under our stern a sea monster called by seamen the sea Devel with his back sometimes out of the water he appeared to be 15 or 18 feet wide 25 or 30 ft long shaped much like our water turtles with a rough Brown shell in shape and formed like the turtle on the back with Fins or flipper in proportion to the size of his body — with two heads six feet apart of the form of the turtles which would run out like the turtle or be drawn in under the shell I saw this done would run out 3 or 4 feet the diameter of the neck and head I should think was 12 or 15 inches and there were a great number of pilot fish just ahead of him and swiming each side of these heads — the pilot fish are the size of a blue cat fish of 3 pounds and color and mouth like a sucker they also go with the whale and many other Large Fish — and by sucktion fasten themselves somehow to the sides of this big fish and suck when hungry then let go and play before them — This Devil followed us one hour when a brieze sprang up and we left him — went on our voyage — When coming near the straits of Gibralter saw many Spanish gun boats cruising in the straits firing at and takin every Yankee vesel they can[45] — as we drew near we saw one of these gun boats firing at a Yankey schooner from Maine — we bore down towards the gun boat gave her a gun and she run for the shore — supposing we were a ship of war for we showed 16 guns but 10 were quakers — wooden guns — thus we saved the yankies that time — we passed the straits run up to Malaga 60 miles our place of distination — here we lay six weeks discharging and takin in a Cargo of wine Raisins and Figs etc. — had to wait two weeks to sail with an English fleet under the protection of a Frigate and a sloop of war[46] for 2 or 3 French privateer were waiting to take us when we sailed they said our ship would make on Bon privateer — we sailed with the fleet and arived safe in Boston in November the whole distance out and home

Brought home with me some wine Raisans and figs and raison grapes

miles 7000

packed in saw dust in a . . . . . [pages missing]

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[45]At this time the waters around the Straits of Gibraltar were infested with French and Spanish privateers. Many of these operated out of Algeciras. *Ibid.*, p. 238.

[46]Compare with the following: ". . . they [French privateers] are permitted to lie in wait in the ports of Spain for the Sailing of American vessels, & immediately on their departure to Sally forth, capture & bring them back as prize. To so great an excess has this violation of our rights as neutrals been extended in Spain, that in March last there were lying in the port of Malaga, at one time, 14 American vessels, which were prevented from sailing, by the open & public threats of the crews of two French, privateers, then at Malaga, that it was their intention to capture them, as they departed. They were relieved from this embarrasment only by applying to Admiral Nelson at Gibraltar, who sent a frigate up the Bay to protect them." Secretary Pickering to Samuel Sewall, Dec. 27, 1797, *Quasi-War with France*, I, 20.

West Virginians in the American Revolution

This is the third article in a series which contains an alphabetical check list of Revolutionary soldiers who at one time or another lived in what is now West Virginia. The series will continue for several numbers. This material has been assembled and edited by Ross B. Johnston. In the next few years, the Department of Archives and History hopes to publish this list in one volume, properly indexed. The public is invited to send in corrections as the material appears and to submit names of other Revolutionary soldiers whose authentic records qualify them to be listed among the other West Virginians who were with Washington's army.

This list of more than thirteen hundred sketches of Revolutionary soldiers from what is now West Virginia is offered with the full understanding that it represents only part of those who properly belong in this group. There are, for example, large lists of names, such as the roster of George Rogers Clark's forces of men, whose residences were uncertain, although many of the frontiersmen who joined Clark at Point Pleasant and Parkersburg on his western expedition lived west of the mountains.

The sources of this material are notes from the files of the Pension Office at Washington, from the pension applications in West Virginia counties, and from the minute books of the older West Virginia counties, copied by W. P. A. workers on the project sponsored by the West Virginia Commission on Historic and Scenic Markers; from notes of the Daughters of the American Revolution, Sons of the American Revolution, Sons of the Revolution, and other patriotic societies; and from a large miscellaneous group of published and private sources. It was found necessary to condense many extended notes in order to save

space. Doubtless this omitted some points of interest, but in most instances the omissions were repetitions of facts common to many other cases.

(Note: Numbers and letters appearing with many names are references to files of Pension Bureau, War Department, Washington, D. C.)

BOND, JOHN (Sergeant)
Service—Maryland Va. No. 18800 No. S-39199

Enlistment, April, 1782, to April, 1783, Baltimore, Maryland. Residence, Calvert County. Served one year as sergeant under Captains Hamilton and Bruce, Fourth Maryland Regiment, Major Lansdale, and Colonel Josiah Hall. Applied for pension, Hampshire County, Virginia, October 22, 1818, aged 56. Certificate issued, November 4, 1822.

BOND, RICHARD

Bond was born in Cecil County, Maryland, October 4, 1728, died on Lost Creek, January 14, 1809, and is believed to have had service in the Revolution. He was the son of Samuel Bond, born in England, January 1, 1692; died, April 10, 1783. He was married about 1726 to Ann Sharples, who was born June 23, 1708, and died in Cumberland County, New Jersey, on August 22, 1786.

BONNELL, JOHN

Bonnell appeared before the Harrison County court, May 19, 1818, and again in June, 1820, and said he was born in 1761; that he enlisted in Captain Machen's company, New York Artillery, under command of Colonel John Lamb or Calb; that he served from March, 1782, until his discharge at end of the war at West Point. Affidavit of Elijah Price attached. Had wife, aged 48, son, Charles, aged 12, and daughter, Margaret, aged 3, in 1820.

BONNER, JACOB (Joseph?)

Grave of Jacob Bonner, declared to have been a soldier in the Revolutionary War, is in Maple Grove Cemetery, Marion County.

Enlisted in Pennsylvania and served three years under Captains Nelson, Grant, and Davis, in Virginia State troops, and in the Pennsylvania Line, under Colonel Butler, General Wayne, and Lord Stirling. Served at Brandywine and Germantown. When he went to Philadelphia to get his depreciated pay, he was so long detained that he sold his pay for three guineas, and gave up his discharge. Applied for pension, May 27, 1818, Monongalia County, aged 66. Certificate issued, January 7, 1819. Wife, aged 60, in 1820; name not given. Names of children: Peggy (her children were Nancy and John), and Ruth.

BONNETT, JACOB
Service—Virginia Va. No. 16461 No. S-8080

Born on Cedar Creek, Frederick County, Virginia, 1761. Enlisted in March, 1780, and served six months in the Virginia militia on the western borders under Captain Coburn, Major Lowther, and Colonel Crockett

as an Indian spy in Tyler and Brooke counties. Applied for pension, August 6, 1832, Lewis County. Certificate issued, August 26, 1833, but was later suspended as being too young for service. Bonnett died, about 1847, leaving following children: Martha, wife of Samuel Horner; Delilah, wife of Abraham Hess; Eliza, wife of Fleming Sprouse; Lucinda, wife of Jesse Butcher; Samuel, who died leaving children; Gracie West, dead, leaving children; Elizabeth Alkire, dead, leaving children.

Jacob Bonnett had four brothers: Samuel, Peter, John, and a twin, Lewis Bonnett. All the above are declared to have been Revolutionary soldiers. John was killed by the Indians and hidden in a cave on the Kanawha in 1783.

BONNETT, LEWIS

Service—Virginia Va. No. 16242 No. S-5294

Born in Hardy County, 1761 or 1762. Enlisted, March, 1779 or 1780, and served until 1783 as Indian spy under Captains Coburn, Robinson, Jackson, Westfall, Major Lowther, Colonels Wilson, Gibson, Crockett, Duval, and General Clark. Applied for pension, July 5, 1833, Lewis County, or February 5, 1833, Lewis or Marshall County (both dates given). Certificate issued, 1833, then suspended as not having been in regular service. Mentions a brother, Peter Bonnett, Jacob Abbott, and Philip Cox. John, a brother, killed by Indians, 1783.

BONNETT, PETER

Service—Virginia Va. No. 16241 No. S-5293

Born in Hardy County, 1764. Served from March, 1779, to 1783, total of about two years and six months, under Captain Coburn, Major Lowther, and Colonel Wilson with Ninth Virginia Regiment, along the Ohio River. Enlisted in Harrison County. Applied for pension, February 5, 1833, Lewis County, and certificate was issued July 19, 1833, but later suspended. Mentions a brother, Lewis Bonnett, Jacob Abbott, and Philip Cox. Evidence of Sam Bonnett, a brother, William Powers, Nicholas Carpenter, and Henry Flesher also submitted.

BONNIFIELD, SAMUEL

Service—Virginia No. R-1007

Born, Prince George County, Maryland, April 11, 1750. Enlisted, Culpeper County, Virginia, and served 1778-1782 in company of minutemen of Gloucester, Virginia, under Captains Philip, Billups, and Slaughter. For a time was engaged in the manufacture of salt for Washington's army. He was also in the Battle of Point Pleasant, 1774, and had two companions, Thomas Gorman, or Gordon, and William Flanigan, killed.

Resided in Prince George County, Maryland, Culpeper County, Virginia, Hampshire County, and Randolph County, Virginia. Married Dorcas James, of near Piedmont, Mineral County. Applied for pension in Randolph County, November 5, 1833. Among comrades supporting his claim were John Long, James Long, James Parsons, and Henry M. Smith. Bonnifield was a French Huguenot who came to America by way of Scotland. The name is believed to have been originally spelled Bonnifant.

BOONE, (BOON), JOHN
Service—Pennsylvania Va. No. 23161 No. R-1017

Born, York County, Pennsylvania, eight miles from York. Was 18 or 19 years old when he went with his uncle, Daniel Boone, to Kentucky, returning next year, 1774, to York, making the year of his birth about 1755. Died July 17, 1835. Enlisted, 1778, York County, Pennsylvania, under Captain Spangler, served upwards of two years, then marched under the command of General Gates with Maryland and Delaware troops to North Carolina to join Baron De Kalb's command. Was in several actions, including the defeat of Gates at Camden. From there he fled to Henry County, Virginia, where he remained at the Washington Iron Works for several years, then came to Monroe County (or Greenbrier County), where he made his home. No discharge was received, owing to dispersal of Gates' army.

Married Elizabeth Alford by published bans, 1787-88, Augusta County, Virginia. Wife died February 15, 1841. Children were John, Nancy, Henry, Sally, and Francis. Supporting claims by Peggy Alford and John Alford. Applied for pension, August 20, 1833, in Monroe County. Certificate issued, November 21, 1833.

Previous to the passage of the joint resolution of August 23, 1842, no widow whose husband was living on June 7, 1832, was entitled to a pension under the act of July 7, 1838. John Boone died after 1832, and his widow died prior to the resolution of 1842. (This note is from old letter book, mentioning three other widows.) NOTE: See affidavit of Henry Boone in 1847 before the Greenbrier County Court in interest of heirs of Elizabeth Boon.

BOOTH, JAMES (Captain)

Booth lived near Coon's Fort, Marion County. He was an officer of unusual ability, well educated for his time, and an outstanding leader in the early settlements of the Upper Monongahela Valley. He organized a company of militia which guarded the frontier against Indians, and he remained the chief protector of this region until his death at the hands of the Indians, June 16, 1778. Grave marked in cemetery on Booth's Creek.

BORER, CHARLES
Service—Virginia Va. No. 16644 No. S-8082

Enlisted, October 1, 1777, Hampshire County, Virginia, and served nine months under Captain James Parsons, Colonels Shepherd, Gibson, Harrison, and General Hand and General Hamilton. Engaged in the Indian campaigns on the Ohio River. Applied for pension, Pendleton County, Virginia, May 8, 1833, and certificate was issued September 11, 1833. Statement of David Reed included in this record.

A note shows that his certificate of discharge, dated December 20, 1782, and signed by James Neville, Lieutenant, Hampshire County, has been removed from the regular pension office case, and may be found in the safe of the Chief of the O. W. and W. Div.

BOWMAN, MARSHALL
Service—North Carolina Va. No. 23134 No. S-16651
(transferred to Missouri)

Born, October 13, 1760, Amherst County, Virginia. Moved to North

Carolina when 16 years old. After the Revolution returned to Amherst, and four or five years later came to Kanawha County.

Enlisted, October, 1779, and in 1781 re-enlisted, from Burke County, North Carolina. Served nine months as a private under Captain Clark in General Green's army. Was at Wilmington, Delaware, with General McDowell's army when Cornwallis surrendered at Yorktown. Applied for pension, October 20, 1833, Kanawha County, Virginia. Certificate issued, November 15, 1833. Claims supported by David Harbour and Charles Jones. Moved to Missouri to be with his children.

BOWMAN, SAMUEL

Service—Continental New York Va. No. 19160 No. W-27663

Born in County Down, Ireland, and came with his father, Robert or John Bowman, to New York two or three years before the Revolution. Lived in Albany, then came to Ohio County, Virginia, where he had lived for forty years when he made a pension application, October 6, 1823. Served three years as a private in the Revolution, under Captain Swarthout, Colonel Lamb, Second New York Regiment. Certificate was issued, January 14, 1824, which was suspended in 1834, but in 1838, Bowman's claim was affirmed. He died, February 20, 1840, before he had been restored to the rolls. Evidence submitted that his discharge papers had been stolen. His widow, Dorothy Bowman, applied May 11, 1840, in Marshall County, Virginia, for a pension. The widow, by direct act of Congress, August 26, 1842, was authorized to collect all arrearages from time Bowman was dropped from roll on March 4, 1834, until his death, February 20, 1840.

Long list of persons submitted statements in favor of the Bowmans, including Nancy Mills, Robert Mills, Robert Bowman, Thomas Shannon, Lemuel B. Kimball, Nathaniel Price, Jacob Burley, Mary Burley, and Sam Howard.

BOYD, JAMES

Service—Maryland and Pennsylvania Va. No. 31488 No. R-1086

Born in Chester County, Pennsylvania, October 3, 1759. Died April 13, 1846. Enlisted, Chester County, Pennsylvania, November, 1776, and served one year as private under Captains Dobson and Williams, Continental Line, Seventh Maryland Regiment. Was at Germantown, Monmouth, Trenton, Brandywine, and King's Bridge.

Applied for pension, February 27, 1829, Monroe County, Virginia. Certificate issued, July 20, 1838. Widow, Flora, applied for pension, 1846, Monroe County, Virginia, but claims were rejected. Supporting claims made by James Dunlap, Isabel Alexander, John Francis, John Raine, James Hanly, and Alexander Dunlap.

BOYD, PATRICK

Service—Virginia Va. No. 16634 No. W-5846

Born in England, about 1759; died, Monroe County, Virginia, March 1, 1835. Enlisted, Augusta County, Virginia, September, 1777, October, 1781, and served as a private under Ensign Kirk, Captains Smith and Bell,

Colonels Grayson, Moffitt, and Howyer. Was in battle of Guilford Courthouse.

Married Ann McDowell, April 20, 1787, in Greenbrier County, Virginia, with the Rev. John McCue as minister. Soldier applied for pension, September 17, 1832, Monroe County, and certificate was issued, September 10, 1833. Widow applied for pension April 19, 1841, Monroe County, aged 74, and received certificates. Name of Samuel Alton among those supporting claims.

Boyd enlisted under Ensign Robert Kirk, Augusta County, in the company of Captain Smith, Captain Bell, and Colonel Grayson. Marched to Valley Forge, thence to West Point, and to Middle Brooke of Bond Brook, New Jersey. Was sick in camp during battle of Monmouth. Hired a substitute to continue his service. Refused a lieutenant's commission, and got his discharge from his general at Ellensburg, but lost it. Colonel Gamble of Staunton got him warrant for land. In 1781, volunteered under Captain Thomas Smith, rendezvoused at Waynesboro under Colonel Moffitt, and marched to North Carolina where he was in battle of Guilford Courthouse. Again volunteered, and under Colonel Bowyer marched to Charlottesville, Richmond, and Williamsburg, and was discharged at Hickory Nut Church, 1781.

BOYER, PETER

Service—Pennsylvania Va. No. 990 No. R-1098

Enlisted, Pennsylvania, 1779, and served as a matross under Captain Turnbull, Second Pennsylvania Artillery Regiment, under Colonel Proctor. Applied for pension, August 17, 1829, Fayette County, Virginia.

Married, August 16, 1793, Augusta County, Virginia; wife's name Catharine. Moved to Cass County, Indiana, in 1839. Died October 10, 1850.

BOYLE, WILLIAM

Enlisted in Captain Shepherd's company in 1776. Was taken prisoner at Fort Washington and died in captivity, February 28, 1777.

BRADSHAW, JOHN

Service—Virginia Va. No. 12977 No. S-6738

Applied for pension September 4, 1832, and May 7, 1833, Pocahontas County, and received certificate for two-years' service as an Indian spy, June 21, 1833. Died in December, 1834. His claims were supported by Rev. John Blain, William McCord, John Slaven, and John Tallman. Slaven served with Bradshaw.

Bradshaw entered the service as an Indian spy, May, 1776, and served in 1777, 1778, and 1779. Stationed near Cook's Fort, Monroe County, and was accompanied by James Ellis and the late Colonel Samuel Estell of Kentucky. He was drafted in 1780 in company under Captain Thomas Hicklin and Colonel Samuel Vance, and was again drafted in 1781 under Hicklin, Lieutenant Joseph Given, and Ensign Thomas Wright, in regiment under Colonel Sampson Mathews. He was in several engagements and was at the siege of Yorktown and the surrender of Cornwallis. He guarded prisoners on their way to Winchester and was there discharged.

BRADY, CHRISTOPHER (Lieutenant)

Enlisted in Captain Stephenson's rifle company in 1775. On July 23, 1776, enlisted as second lieutenant in the company of his brother, William, in Stephenson's Rifle Regiment. Just before the battle at Fort Washington, he was taken ill and died, November 14, 1776.

BRADY, JAMES

Recruited by Captain Henry Bedinger in 1782. Born in Langford County, Ireland. Lived in Berkeley County during the Revolution.

BRADY, SAMUEL (Captain)

Born in Pennsylvania in 1756. Enlisted in 1775 and served at Boston, Princeton, Brandywine, Monmouth, and on the western borders. He was first lieutenant of Captain Doyle's independent Pennsylvania rifle company, July 17, 1776, attached to the Eighth Pennsylvania Regiment. In November, 1776, he was appointed captain-lieutenant to rank from July 17, 1776; he was made captain, August 2, 1779; transferred to the Third Pennsylvania, January 17, 1781, and served to the end of the war.

His father and brother were killed by the Indians and he became famous as a scout in western Pennsylvania and the northwestern counties of Virginia. He commanded the scouts for General "Mad Anthony" Wayne in 1792. He married Drusilla Swearingen and lived near Wellsburg, Brooke County, Virginia, and later near West Liberty. Here he died, December 25, 1795, and his grave is near his old home.

BRADY, WILLIAM (Captain)

The Journal of Congress, September 6, 1776, says that the "State of Virginia, on the 23rd of July last, appointed William Brady, captain; William Pyle, first lieutenant; and Christopher Brady, second lieutenant, in the battalion to be commanded by Col. Hugh Stephenson (Stevenson). Amos Thompson was to be chaplain of said battalion. It is resolved that the commissions be granted them accordingly." Brady was made captain of the Eleventh Virginia, January 1, 1777, to rank from July 23, 1776. He resigned March 11, 1778.

BRAKE, ABRAHAM

Service—Virginia No. R-1147

Served in the company, commanded by Captain Bernion, under Ensign Harrison and Lieutenant Stump. Applied for pension, Moorefield, Hardy County. Information incomplete but report of Federal Special Agent indicates that Brake had moved to Harrison County.

BRAKE, JACOB (Lieutenant)

He was a lieutenant in Captain George Jackson's company of spies or rangers in 1778, according to McWhorter's History. He is also mentioned in a letter from the Commission of Pensions to Mrs. Chester M. Cunningham, 510 Stanley Ave., Clarksburg, October 19, 1922.

His mother was killed during an Indian raid in 1758, and perhaps during the same raid, Jacob, a lad of 11 years, was captured by the Indians and adopted into the tribe. He remained a captive almost eleven years. He married Mary Slaughter. His death was in 1831.

BRAKE, JOHN
Service—Virginia Va. No. 23559 No. S-15762
Claimed service as an Indian spy for twelve months under Captain J. Harriss, Colonel Vanmeter, and Major Ruddle. Applied for pension, Harrison County, July 8, 1834. Certificate was issued, but he was later stricken from the pension rolls.

BRAND, JAMES
The grave of James Brand, soldier in the Revolution, who died in 1836, is in the Burnt Meeting House Cemetery, Grant District, Monongalia County.

BRAND, JOHN
The grave of John Brand, Revolutionary soldier, who died in 1834, is in the Burnt Meeting House Cemetery, Grant District, Monongalia County.

BRAXTER (BAXTER?), WILLIAM (Lieutenant)
Service—Virginia Va. No. 12099 and 8354 No. S-6591
Born, Baltimore County, Maryland, April 18, 1756. Enlisted in Virginia and served 13 months as private, sergeant, and lieutenant under Captain Isaac Cox, Lieutenant David Steel, and Ensign George Cox, Continental Establishment, Thirteenth Virginia Regiment, under Colonel Gibson. Stationed at Holliday's Cove on the Ohio River with Colonel Williamson's militia. Applied for pension, August 7, 1832, Brooke County, Virginia. Certificate issued, March 22, 1833. Supporting claims filed by Philip Doddridge, Captain George Cox, and the Rev. Edward Smith.

BRIAN, DANIEL
Service—Maryland Va. No. 6802 No. S-39246
Served as private three years under Captain Morris, Colonel Gomby's Regiment of Maryland troops. Was at Brandywine, Germantown, and Staten Island. Enlisted at Frederick County, Maryland, 1777-1779. Applied for pension, April 18, 1818, Jefferson County, Virginia, aged 64. Certificate issued February 11, 1819.

BREEDIN, JOHN (Sergeant)
Lived near Harpers Ferry, Jefferson County. Served as a sergeant under General George Rogers Clark in the Illinois country.

BREEDIN, RICHARD
Served as private under George Rogers Clark on the expedition against Vincennes and Kaskaskia.

Book Reviews

THE GENESIS OF WESTERN CULTURE : THE UPPER OHIO VALLEY 1800-1825, by James M. Miller (The Ohio State Archaeological and Historical Society, Columbus, pp. 194, $2.00)

Here is another interesting and suggestive study which gives a partial answer to the question as to what materials went into the making of that unique American product, Middle Western culture. It is interesting because it deals with primary and vital records of the region and period in which the product was formed. It is suggestive because it points out what paths may be followed in determining the complete answer to the question.

Professor Miller has used the term "culture" in its broadest sense. The attempts of a group of people "to improve their intellectual, spiritual, and aesthetic environment"(p.x), he offers as evidence of a germinal culture. No attempt is made to study the culture itself, only to define and evaluate the impulse which produced it. There is no pretense at thoroughness even in what is attempted; the author hopes that others will fill in the partial picture.

The dates 1800 to 1825 are not arbitrary nor iron-bound, but convenient. Sometimes they are overstepped. Generally speaking, however, the year 1800 stands at the end of the pioneer period in the upper Ohio Valley and at the beginning of the development of centers of population. The year 1825 marks the close of a period of expansion and settlement, the end of slow transportation by wagon and flatboat, and the beginning of swifter movement by railroad, canal, or steamboat.

The book is divided into three large chapters. The author begins by setting his stage, describing the cultural groups and areas, the contributions of these groups, the sources of population, and the influence of roads and taverns in determining community centers. The individuals who make Western character, especially the minister, the lawyer, the physician, the teacher, and the editor, are next presented. Last appears the product of character and environment, the school and college, the organized church, the great revival, and the more obvious evidences of culture, the literary club, the museum, music, and the theater.

On the very face of things it is a heterogeneous society and a heterogeneous culture, but Professor Miller finds two great factors rising out of the mixed mass, two perhaps apparent factors, but they prove his material worth presenting: "the ascendancy of the Pennsylvania-Southern influence, and the tremendous import of the Presbyterian effort" (p.164).

From the beginning, it was evident that Ohio Valley civilization would be the product of the fusion of three distinct colonial cultures, those of New England, Virginia, and Pennsylvania-New Jersey. Into the North-

ern section came Pennsylvanians and New Englanders; into the Southern, Virginians and Pennsylvanians. The term "Yankee" came into being here as an opprobrious epithet applied by both Pennsylvanian and Virginian to their allegedly avaricious neighbor from the land of beans and cod. Congregationalism and the New England spirit left their mark in the West, but religiously and intellectually they finally were absorbed in the agrarianism of the Middle Atlantic or Southern farmer, who found himself at least materially better off from having learned a little of the commercial keenness of his New England neighbor. His main outlook then and now, however, was determined by the agricultural and democratic philosophy of Jefferson and Jackson. It is significant to recall that, during this quarter century when the West was hardening its mould, the national government was made of three successive Virginia-agrarian administrations.

In this period in the Ohio Valley the Presbyterians came early and stayed late. Methodists, Baptists, Congregationalists, and divergent sects, such as the Shakers, also came, but they either fell by the wayside or had their triumph in later generations. The Scotch-Irish settler, clinging tenaciously to his Calvinistic tenets at the same time that he borrowed a little emotionalism from his Methodist friends, found that the combination appealed to the rank and file of settlers. The Presbyterians were also rich in well-trained leaders from Princeton and Edinburgh. Men such as John McMillan found time to establish academies and colleges as well as to shepherd their flocks. The name of these servants of God is well-nigh legion, and it is they who are more responsible for intellectual development in the West than the lawyer, physician, or editor.

Certainly Professor Miller's book presents the rough blazings of a trail as potentially adventurous and as rich in promise to the student of literature or history as was the Great Wilderness Trail to these pioneers with whom the book deals. The organization of the work is a bit confusing and somewhat overlapping, but there are enough vital suggestions for further investigation on almost any one page to make us forgive any lesser shortcomings.

One must always remember that is was not alone the West which was laying the foundations of a national culture in this first quarter of the nineteenth century. The old colonies of the seaboard, Virginia and Pennsylvania and Massachusetts, were likewise girding their loins for the race in a new and greater day. More slowly and conservatively, they were casting aside the hinderances in their own peculiar cultures which the new Ohio Valley had judged more quickly. The older commonwealths are eternally indebted to the West for the lesson it gave in fusion and in combination.

Mary Washington College
Fredericksburg, Virginia RICHARD BEALE DAVIS

STATESMEN OF THE LOST CAUSE: JEFFERSON DAVIS AND HIS CABINET, by Burton J. Hendrick (Little, Brown, and Co., Boston, 1939. 452 pp., $3.75)

"This volume on the Southern effort in the Civil War has at least one

novel feature," declares its author. "It says practically nothing about military leaders. . . . The fact is commonly forgotten that the South possessed civic as well as military figures." Believing that the North's emphasis upon statesmanship and the South's emphasis upon military achievements go far to interpreting the events of 1861-65, and that this may answer the question of why the South was defeated, Hendrick has made a study of the statesmanship and diplomacy of the South "in the biographies of the characters who reigned in the time of America's most tragic crisis," and has come to the following conclusions, stated in his prologue: (1) that Frank Owsley is correct in saying that the doctrine of state sovereignty made orderly conduct of public affairs impossible, that hence the Confederacy "Died of State Rights," and (2) that the South produced no statesmen of the caliber that she produced in the Revolutionary crisis of 1776 and afterward. In the body of the book, although he makes no effort to show all the contributory causes of the Southern defeat, he does not explain the failure of the Southern cause exclusively upon these two deficiencies. This is fortunate, for he makes his case much clearer when he does not confine himself to this narrow explanation, but adds a picture of the diplomatic difficulties faced by the Confederate leaders.

Statesmen of the Lost Cause is not a profound work. It is not intended to be. It is obviously a work inspired by the realization of the need for a readable, one-volume, popular treatment of a phase of Confederate history of which few know enough even to give the names of the men involved. Based upon Confederate records, memoirs and letters, biographies, and scholarly monographic works, and written with the ease and style of a journalist-biographer, it is an historical narrative which gives a good story of the problems faced by these men, and a series of biographical sketches not only of the men indicated in the sub-title, *Jefferson Davis and His Cabinet*, but of the diplomatic representatives at work on State Department missions.

The author makes no attempt to conceal his personal opinion of the men of whom he writes. He considers Jefferson Davis a "dyspeptic and neurotic" person, scholarly, and proficient as a miltary man, but a Southern nationalist with a manner of "thinking and living by rote," which handicapped him as a politician and statesman. He agrees, for the most part, with those who consider Judah P. Benjamin the "brains of the Confederacy," and makes Benjamin the most interesting character in his book. He gives Thomas Corwin, federal government minister to Mexico, pages of praise for outwitting John Pickett, Confederate representative in Mexico, whose performance he correctly labels a "farce." And he reserves great space for a wholesale condemnation of Alexander H. Stephens, who, to this reviewer, stands out among the whole Confederate civil affairs outfit as one who knew what he wanted and why he wanted it, and who stood by his principles. This is not necessarily an adverse criticism, for the author has a right to his own opinion. Rather is it a compliment, since he does not try to browbeat his reader into agreement, since he does not weigh his book down with

a raft of psychological explanations of his characters, and since he does give information about the origin and early life of his subjects without the usual emphasis upon "old Southern family, tradition, and chivalry" — or lack of it — a touch which is indeed refreshing to one who is not a professional waver of the Bonnie Blue Flag. He does not, however, take time to explain clearly the reasoning of the characters whom he portrays, a fact which makes this book fall below the standard of his other works.

The Montgomery convention, which drew up the Confederate constitution, was dominated by Southern nationalists of the Deep South — the *nouveau riche* South, as Hendrick calls it—, and the cabinet of Davis was not of the Old South brand of statesmen, but a group of definite bourgeoisie, chosen for geographic availability, often for the wrong places. Of the six posts, only one, says Hendrick, was held throughout by a single appointee — Mallory of the Navy Department. This ignores the fact that John Reagan, of Texas, served as Postmaster General throughout the life of the Confederacy. The War Department held an all-time record of six incumbents during the four years, while the total number of cabinet chiefs reached seventeen, (although Hendrick's figures total eighteen). The author attributes this turn-over in the cabinet not alone to Davis's inability to work with others, but also to the difficulty of the tasks at hand and the fact that many of his appointees were unfit for the positions to which they were assigned.

Statesmen of the Lost Cause weaves together details of Confederate diplomacy in Mexico, France, and England, propaganda activities in France and England, and the futile hope of the Confederacy to win foreign recognition and assistance — especially the building of ships to break the Federal blockade — by creating a cotton famine through an embargo on cotton. The stories of the failures of Pickett in Mexico, Yancey and Mason in England, and Rost and Slidell in France are better for the personal touches of a clever biographer. Confederate finance, in all its hopelessness, is portrayed as a part of diplomatic history.

In chapters on "Discord of the Governors" and "Secession Within the Confederacy," the author reduces to a few pages the activities of Joseph E. Brown, Linton Stephens, and Alexander H. Stephens in Georgia, Zeb Vance in North Carolina, and the Peace Societies in the various states; and gives the ugly picture of desertion in the back country with no attempt at explaining the problems of those who deserted. He shows clearly that if there had been no other reasons for the failure of the Southern cause, there could have been no Confederate victory without a regimentation and a co-ordination of effort which the state rights principle forfended.

On the whole, the most delightful portions of this book are the character sketches. It is a pity that Hendrick does not fulfill the promise in the title and give more space to facts about the lives of the men of whom he is writing, instead of devoting pages to the setting of the stage for his actors. Important as the setting is, it has been given space in this book out of proportion to its necessity. But for the excellent bi-

ographical material in the book, one might as well read Owsley's *State Rights in the Confederacy* and *King Cotton Diplomacy*, and have done with it. Hendrick should have kept his eye more closely on the title of his book, and given more of that at which he is a master — biography as clear as photography. In any case, the book is good reading for anyone, and informational for those who are not students of Southern history. Discounting for generalizations, often unsupported, personal bias, often unconcealed, and a style, often more journalistic than scholarly, one can still read *Statesmen of the Lost Cause* and pronounce it a good book.

Woman's College,
University of North Carolina JOSEPHINE HEGE

BEACON LIGHTS OF WEST VIRGINIA HISTORY, by Phil Conley. Charleston, West Virginia: West Virginia Publishing Company. 1939. 264 pp. $2.00

One of the very latest publications of permanent value as a contribution to our knowledge of West Virginia and its history is Phil Conley's *Beacon Lights of West Virginia History*. The book is just what the title implies, highlight stories rapidly sketched for the hurried reader with each dramatic episode made complete in a short chapter and in sufficient detail to impart a thorough understanding of the subject. The book is the first of a series which will tell the story of West Virginia in episodic fashion; this volume carries the epic down to the inauguration of Governor Arthur I. Boreman and the full morning of statehood.

The author's knowledge of his subject in general is so thorough and exhaustive that the series could be easily extended to a dozen or more fat volumes, each as meaty as the one just published, but it will probably be confined to three or four volumes published at intervals during the next year or so. Mr. Conley is taking a long range view in his survey of the historical values of the Mountain State and, when completed, the series will stand as a complete library within itself. The first volume is a fitting companion to Mr. Conley's monumental reference work, *The West Virginia Encyclopedia*, and his history textbook, *West Virginia Yesterday and Today*, which for nearly ten years has been used in West Virginia schools.

Using the try-out method, the chapters published in *Beacon Lights* were first presented to the reading public as a series of newspaper feature stories, appearing in the Sunday issues of a half dozen or more West Virginia dailies. But the material lost nothing by its newspaper publication; the twenty-four chapters that make up the book do not now appear in exactly the same form, though containing the same factual material — and historic fact does not change. The articles have been retouched and polished to a glistening brightness under the certain pen of a practiced writer — and Mr. Conley is that, whether he is writing of history, philosophy, social economy, or the current story of the day.

The historian has drawn upon the vast reservoir of his knowledge of West Virginia — a knowledge gained through years of study, research

and travel over the State — to present a dramatic and moving story of the Allegheny wilderness, the trials and struggles of the pioneer settlers, the spread of culture and the triumph of statehood. In this work three full chapters are devoted to Dunmore's War of 1774, the causes of the uprising of the confederated tribes whose home area was in the land west of the Ohio River, the organization of the Virginian army under the command of General Andrew Lewis, and the battle of Point Pleasant. Perhaps this treatment of a colonial Indian war — even though it was the one that set the frontier of English civilization forward from the crest of the Alleghenies to the Ohio — is a little out of proportion to the one chapter given to the part western Virginians played in fighting out the American Revolution. Dunmore's War was the prelude to the War of Independence and the men under General Lewis had barely returned to their own homes before they were again called out for service in the cause of national liberty.

But *Beacon Lights* is not a continuous parade of wars and battles. There is a full, if necessarily brief, treatment of the rise of pioneer industry, of community life and customs, and a particularly illuminating chapter on the part the delegates from western Virginia played in securing the ratification of the Constitution of the United States in the Virginia Convention in 1788. There's Harman Blennerhassett in his island home within sight of the city of Parkersburg. It was here that Aaron Burr made great plans for a nation in the southwest. There's John Brown at Harpers Ferry with his pitiful little "army of liberation," who threw themselves away to awaken a national consciousness and start a great war. And there's Abraham Lincoln in the White House — solemn, sad, and brooding — who mulled over involved questions of the Constitution and the law relative to the formation of a new state until he saw his way out of the maze. It was Lincoln who told Jacob B. Blair that he would give West Virginia "the odd trick" — the act that meant independent statehood and a full place in the sisterhood of the Union. Lincoln gave the "odd trick" when he affixed his signature to the bill passed by the Congress creating the independent State of West Virginia.

The value of the work is greatly enhanced by the inclusion of an adequate index, the work of Miss Virginia Wilson. It is a good book for home or school reading — its brevity and directness in style recommend it to the hurried reader — and it will further stimulate the growing consciousness of West Virginia's historic past.

New York, N. Y. BOYD B. STUTLER

JOHN TYLER, CHAMPION OF THE OLD SOUTH, by Oliver Perry Chitwood. (D. Appleton-Century Company, New York, 1939. Pp. 496, $4.00.)

The author of this volume was reared in the native State of the "Champion of the Old South" and is thoroughly familiar with the social influences surrounding the life of the planter and political leader of that region. He has achieved a national reputation in the writing of historical treatise. Therefore, it would be hard to find in the American lexicon of

scholars one who is better prepared to write this narrative than Dr. Chitwood. By no means has the author neglected his task. He has gone to the very depths of it. Materials, both primary and secondary, have been combed for every item of interest and knowledge that adds light to the subject. In completing this work, the author has projected his efforts into thorough research of printed and traditional information, both local and national.

The book is strictly a biography. Even in the glamour of the presidency and the turmoil of the great war, the subject is followed constantly. From the beginning to the end the discourse runs smoothly in logical sequence. Interest never lags. There is no letdown. The literary style is clear and straight-forward. The thread of the story runs from chapter to chapter without being broken.

Ordinarily, President Tyler is not given high rank on the roll of our Presidents. He was caught in a maelstrom of conflicting intrigues and adverse criticisms. So deeply did he become enmeshed in the tangles of contending influences that his career, from his accession to the Presidency, was made unpopular by disreputable politics. His biographer pictures the President as always contending for sound principles, honorable, having faith in loyalty of conviction, wise, courageous, and calm. Though the storm raged furiously against him, he never lost the true bearings of his course. In his discourse Dr. Chitwood lifts President Tyler from a position of commonality in presidential rank to a place of distinguished honor.

The author points out that the greatest achievement of the administration was in the field of foreign relations. Though five men—Webster, Upshur, Legare, Nelson, and Calhoun—having divergent views, served in the Department of State, success was attained to the extent that it has had a great influence on the country. The Canadian boundary line was established, a policy was set in motion for the settlement of the Oregon question, Texas was annexed, the *Caroline* affair was settled, and the *Creole* case was started on the way of reaching an understanding.

In a manner, this book is timely. This year marks the hundredth anniversary of the election of President Harrison, who, after only one month of service, was succeeded by Vice-President Tyler. The reader is afforded an opportunity to compare the national questions of 1840 with those of 1940. In all respects they are not dissimilar.

From page to page strong sentiment is expressed for President Tyler, and Dr. Chitwood makes a good case for him. Perhaps more could have been written concerning the besieging insistence carried on by the Virginia school of politicians, in the persons of Rives, Gilmer, Wise, Upshur, and others, to win the patronage of the President who was not held in high esteem by the greatest political influence of the time, Andrew Jackson. The President was too considerate to rebuke the innovations of his Virginia friends. General Jackson would have chastised them with scorpions.

This volume contains a splendid exhibition of research and scholarship. It deserves a prominent place among the biographies of the times.

West Virginia Wesleyan College O. D. LAMBERT

WHISKEY REBELS: THE STORY OF A FRONTIER UPRISING, by Leland D. Baldwin (University of Pittsburgh Press, 326 pp., $3.00)

I believe it is safe to say that few Americans know the true facts about the uprising in western Pennsylvania which has been commonly known as the Whiskey Rebellion. To many of us it was just another sectional rebellion, subdued, in due time, by the strong arm of our federal government. In *Whiskey Rebels* Dr. Baldwin gives us the authentic story of this uprising. Here is a book, interestingly written and carefully documented, which should appeal to West Virginians. The ways of social and economic life, the high ideals of liberty, the attitude toward the Red Man, these and many other traits which characterized the Monongahela pioneers existed, generally, throughout the Trans-Allegheny region.

In this Monongahela country was, first of all, that "Land Hunger" so common among Trans-Allegheny pioneers. To satisfy this hunger the Indians, who "demanded vast hunting preserves," must be exterminated. When the Indians were finally dispossessed, the settler found that he had to purchase the land from the state government or from individuals or companies. Eastern land speculators had raised the price of land. Nearly every man held land — with mortgage attached.

These sturdy frontier people needed money which might be secured by bartering their goods in the eastern markets or sending them down the Mississippi to Spanish markets. But, in the words of Dr. Baldwin, "When had the State or Nation done anything to open the Mississippi or build good highways?"

Necessity is the mother of invention. Again we quote Dr. Baldwin: "The region's lumber, grain, and meat were too heavy to be transported at a reasonable cost across the mountains under prevailing conditions, and there was no certain market down the river. A horse could transport four bushels of rye at a time, but turn it into whiskey and he could carry twenty-four — that is, two eight-gallon kegs." And so "Stills were imported in ever increasing numbers. . . . Soon every settlement came to have a still, anywhere from six to thirty families taking a certain amount of grain to the common distiller and receiving a stipulated quantity of whiskey." Add to this the fact that whiskey held a well-nigh impregnable social position in the back country and we have the picture of an attitude that was the result of social as well as economic circumstances.

This economy, however, was disturbed by "Mr. Hamilton's Excise." Alexander Hamilton wanted the federal government to assume the obligation of the unpaid state debts. He maneuvers the leaders of Congress into supporting a bill that would impose a duty upon imported liquors and upon *those distilled within the country.*

Several chapters of the book are given over to the detailed account of the results of this federal excise in the Western Pennsylvanian country. We see the country rise up against what they considered infringements against their rights. Meetings are held. "Democratic Societies" are formed. Inspectors of the excise are tarred and feathered. The disaffection spreads and cooler heads find it difficult to keep the movement from

gaining such momentum as would result in disunion from the country. On one occasion, lawyer Brackenridge of Pittsburgh wrote, "Should an attempt be made to suppress these people, I am afraid the question will not be whether you will march to Pittsburgh, but whether they will march to Philadelphia." Says Dr. Baldwin of the vast army that had gathered at Braddocks Field, just outside of Pittsburgh, "There were locked up in the breasts of these thousands of children of the backwoods vast potentialities of destruction which a sharpened sense of injustices suffered bade fair to release."

Why did these serious outbreaks of violence against the excise occur only in the Monongahela country? Why did they not spread to other sections of the hinterland of the United States? Dr. Baldwin's explanation is revealing. Says he, "Southwestern Pennsylvania was at this time the oldest of the western settlements and the most populous; it contained in 1790 almost seventy-seven thousand people. The population was compact and for the most part agricultural, and the insurrection was essentially an agrarian movement."

We know, of course, from history that Washington sent an army under the command of General Henry Lee to put down this insurrection. We know, too, that quiet was restored and that the whole affair added, at least temporarily, to the prestige of the Federalist Party. We have not clearly understood, however, how these events infringed on the future of our country and these western folks. Dr. Baldwin says significantly in his last chapter, "The Whiskey Insurrection at least was abortive, and the Jeffersonian revolution when it came was not as complete as the Democratic societies might have advocated in 1793. The westerner of the seventeen-nineties saw more or less clearly that it was the economy of the frontier individualist that was being undermined. He thought he had his back to the wall making his last stand against plutocratic individualism. There was too much cheap land farther west to make it worth while to stand and fight to the bitter end."

New River State College D. B. Kraybill

State History as Featured by the Press

MAGAZINES:

North Carolina Historical Review (October, 1939), *The Catawba Nation and Its Neighbors*, by Frank G. Speck. Reviews: *Isaac Franklin; Slave Trader and Planter of the Old South*, by Wendell Holmes Stephenson; *Flight into Oblivion*, by A. J. Hanna.

The Pennsylvania Magazine of History and Biography (October, 1939), *The Status of Historical Bibliography in the United States*, by Solon J. Buck. Reviews: *The Colonial Period of American History: England's Commercial and Colonial Policy, IV*, by Charles M. Andrews; *The Yankee Cheese Box*, by Robert Stanley McCordock.

National Historical Magazine (November, 1939), *Touring America*, Extracts from a diary kept by William Lynn when he and his wife, Ellen Taylor Lynn, went from Zanesville, Ohio, to visit relatives in Virginia in 1860, and incidentally to sample various "Springs." Review: *The Blackburn Genealogy*, compiled by Vinnetta Wells Ranke. (February, 1940), *Around the Calendar with Famous Americans—Daniel Boone*, by Louise Hartley.

Yale Review (Winter, 1940), Review: *Abraham Lincoln: The War Years*, by Carl Sandburg, 4 vols.

The Western Pennsylvania Historical Magazine (September, 1939), *The Early History of the Pittsburgh Coal Bed*, by Howard N. Eavenson; *Document, Henry Bouquet: His Relict Possessions.* Reviews: *The Birth of the Oil Industry*, by Paul H. Giddens; *The Ohio Company of Virginia and the Westward Movement, 1748-1792*, by Kenneth P. Bailey.

The Maryland Historical Magazine (December, 1939), *Patowmeck Above Ye Inhabitants, A Commentary on the Subject of an Old Map*, by William B. Marye; *The Amazing Colonel Zarvona*, by Charles A. Earp.

William and Mary College Quarterly Historical Magazine (October, 1939), *A List of the Clergy of the Protestant Episcopal Church Ordained after the American Revolution, who served in Virginia between 1775 and 1814, and a list of Virginia Parishes and their Rectors for the same period*, by G. McLaren Brydon, Historiographer; *The Veracity of John Lederer*, by Lyman Carrier; *Documents on the Origin of the Phi Beta Kappa Society; The Washingtons and Sulgrave Manor*, by T. Pape; *The Scott Family of Orange County*, by Paul H. Scott. Reviews: *Colonial Justice in Virginia*, by George Lewis Chumbley; *Early American Land Companies:*

Their Influence on Corporate Development, by Shaw Livermore. (January, 1940), *The Syms and Eaton Schools and their Successor*, by Helen Jones Campbell; *Some Recently Discovered Extracts from the Last Minutes of the Virginia Council and General Court, 1642-1645*, by Clifford Lewis, 3rd; *The Richmond Daily Press on British Intervention in the Civil War*, by Schuyler Dean Hoslett; *Documents relating to the Early History of the College of William and Mary and to the History of the Church in Virginia*, contributed by Herbert L. Ganter. Reviews: *James Madison, Philosopher of the Constitution*, by Edward McNall Burns; *John Tyler, Champion of the Old South*, by Oliver Perry Chitwood.

THE MISSISSIPPI VALLEY HISTORICAL REVIEW (December, 1939), *The Creation of the National Dominion, 1781-1784*, by Merrill Jenson; *Daniel Howell Hise, Abolitionist and Reformer*, by Lewis B. Atherton (references to Wheeling, Harpers Ferry, and John Brown). Reviews: *The Ohio Company of Virginia and the Westward Movement, 1748-1792*, by Kenneth P. Bailey; *Antislavery Origins of the Civil War in the United States*, by Dwight L. Dumond; *The Slavery Controversy, 1831-1860*, by Arthur Y. Lloyd; *Chapters in the History of Social Legislation in the United States to 1860*, by Henry W. Farnam; *The Circuit Rider Dismounted: A Social History of Southern Methodism, 1865-1900*, by Hunter D. Farish: *A Short History of the United States, 1492-1938*, by John S. Bassett; *The Growth of American Democracy: Social: Economic: Political*, by Jeannette P. Nichols and Roy F. Nichols.

THE WISCONSIN MAGAZINE OF HISTORY (December, 1939), Review: *Daniel Boone, Master of the Wilderness*, by John Bakeless.

INDIANA MAGAZINE OF HISTORY (December, 1939), *The Southern Appalachians*, by William O. Lynch.

THE OHIO STATE ARCHAEOLOGICAL AND HISTORICAL QUARTERLY (October, 1939), *Gallipolis as Travelers Saw It, 1792-1811*, by John Francis McDermott. Review: *George Croghan's Journal of His Trip to Detroit in 1767 with His Correspondence Relating thereto*, edited by Howard H. Peckham.

THE AMERICAN HISTORICAL REVIEW (January, 1940), Documents: *The Two John Nicholsons*. Reviews: *Colonial Justice in Virginia*, by George Lewis Chumbley; *Early American Land Companies: Their Influence on Corporate Development*, by Shaw Livermore; *The Ohio Company of Virginia and the Westward Movement, 1748-1792*, by Kenneth P. Bailey; *Gerret Smith, Philanthropist and Reformer*, by Ralph Volney Harlow; *The Senate of the United States: Its History and Practice*, by George H. Haynes.

THE VIRGINIA MAGAZINE OF HISTORY AND BIOGRAPHY (January, 1940), *A Crisis in Education, 1834* (Washington College), by William D. Hoyt, Jr. (Contains material on Dr. Henry Ruffner); *William Byrd Title Book*.

TYLER'S QUARTERLY HISTORICAL AND GENEALOGICAL MAGAZINE (January, 1940), *The Parson's Cause, 1755-65*, by Glenn Curtis Smith. Reviews: *Marriage Bonds and Other Marriage Records of Amherst County, Virginia*,

1763-1800, compiled by William Montgomery Sweeny; *Records of Hampshire County, Virginia* (now West Virginia), by Mrs. L. Sage Jones; *John Tyler: Champion of the Old South*, by Oliver Perry Chitwood.

THE JOURNAL OF SOUTHERN HISTORY (February, 1940), *The Southerner and the Laws*, by Charles S. Sydnor; *Northern Congressional Democrats as Defenders of the South During Reconstruction*, by Albert V. House, Jr. Reviews: *The Negro Family in the United States*, by E. Franklin Frazier; *The Life and Times of Edmund Pendleton*, by Robert Leroy Hilldrup.

WEST VIRGINIA REVIEW (November, 1939), *The Glass Bubble* (a story of the Belgian glass workers of South Charleston), by Francis Young Clay; *Prisoner of War*, by Charles H. Washburn; *Wesleyan's Half Century of Progress*, by J. A. Earl; *Water Over the Dam* (refers to the huge project at Grafton), by Beatrice Lohman; *Aracoma* (historical poem), by Frank Ball. (December, 1939), *Fairmont's First Church*, by Frank Ball; *Rescue from the Indians*, by C. B. Allman; *Monument Place*, by Lawrence R. Carter. (January, 1940), *Pioneer Church of the Panhandle* (West Liberty Presbyterian), by J. A. Earl; *Randolph Academy* (chartered 1787), by Virginia Hall.

READERS DIGEST (January, 1940), *Miracles at Milton*, by Karl Detzer (article on Crippled Children's Hospital, condensed and reprinted from *Kiwanis Magazine*).

WEST VIRGINIA UNIVERSITY ALUMNI MAGAZINE (Winter Issue, 1939-1940), Reviews: *John Tyler, Champion of the Old South*, by Oliver Perry Chitwood; *The Baltimore and Ohio in the Civil War*, by Festus P. Summers.

NEWSPAPERS:

BROOKE COUNTY NEWS (Wellsburg), *Authentic History of Wellsburg-Washington Turnpike*, by W. C. Gist, November 10; *Presbyterian Church Observes Centennial-Church History*, November 24; *Civil War Trouble in the Presbyterian Church*, January 12; *Excerpts from "History of Brooke County"* now being written, January 26.

WEST UNION RECORD, *Historical Sketch of the Town of West Union*, November 9; *Forty-One Years Ago—The Newspapers of Doddridge County*, November 16; *History of First Oil Drilling in Marion County*, November 30.

TYLER COUNTY JOURNAL, *Picture and List of Civil War Veterans at Shirley in 1908*, November 16; *History of Whiskey Run and Bond's Creek Oil Fields*, February 8.

PARKERSBURG NEWS, *First Baptist Church, One Hundred and Twenty-two Fruitful Years (picture)—List of Pastors, 1817*, November 19; *West Virginia History Notes*, by Ed. Hile, Dec. 10; *"Stonewall" Jackson Honored in Address to U. D. C.*, January 20.

CHARLESTON DAILY MAIL, *History of Saint Albans*, November 19; *Towns and Rivers in Kanawha History*, November 26; *West Virginian Gets High*

Navy Job—C. P. Snyder Will Lead U. S. Battle Force, December 13; *Proposed Dam Not to Flood Famed Blennerhassett Island*, December 15; *Heroic Acts by West Virginians during World War Recounted, Charleston's Early History Recalled*, by George W. Summers, January 21.

BECKLEY POST-HERALD, *State's History and Future Discussed*, by Dr. French Thompson, President, Greenbrier College, November 18; *Career of General John L. Hines*, February 5.

FAIRMONT TIMES, *Jacob Polsley's Bible, 1791; A List of the Children of Thomas Hughes, Settler of Marion County*, November 20; *Picture of Giant Elm Provided Title for Granville Davisson Hall's "Daughter of the Elm,"* November 23; *First Oil Well Drilled in What is Now Ritchie County, in 1825*, November 29; *James Burns, Pioneer of Fairmont*, November 29; *First Baptist Church, Celebrated 122nd Anniversary*, December 1; *History of First Religious Organization in Mannington*, December 4; *Early Religious Organizations on Dent's Run*, December 5; *History of Centenary M. E. Church—List of Members*, by J. P. West, December 28; *Story Concerning Killing of Mrs. Coon at Coon's Fort, in 1777 or 1778*, December 27; *Miss Ida L. Reed, Hymn Writer*, January 3; *Morgan and West Family Sketches*, January 15; *First Great Mine Explosion in West Virginia, 1886*, January 22; *William H. Dean born in Monongalia County, 1814*, January 24; *Sketches of: Elijah Burris Ross, David Morgan, Levi Morgan, Enoch C. Morgan*, January 26; *Sketches of: Robert L. Reed, Rev. Robert W. Jamison, Noah Keesy*, January 29.

THE INDEPENDENT, (Shepherdstown), *First Presidential Thanksgiving Proclamation Started a More Bitter Dispute than Change in 1939 Date*, November 15; *Resume of History of Old English (Episcopal) Church*, by Helen B. Pendleton; *List of Marriages in Jefferson, from 1801, continued*, December 13; *Review, Genealogy of the Harrison Family*, by Richard H. Harrison, January 13.

THE SHEPHERDSTOWN REGISTER, *Looking Back 57 Years*, by H. L. Snyder, November 9; *Restoration of Old C. & O. Canal*, November 23; *Sketch of the Life of Joseph McMurran, Founder and First President of Shepherd College*, December 7; *Sketch of David Bedinger and Family*, January 4; *Stephenson Seminary Passes*, January 11; *Will of John T. A. Washington, July 16, 1840, Location of Property, etc.*, January 25; *Shepherdstown Lutheran Parish to Celebrate 175th Anniversary—Have Records Dated 1765*, January 18; *Civil War Letters written by John Snyder*, February 8.

SPIRIT OF JEFFERSON (Charles Town), *Jefferson County Artists*, Theme of the Program of the Jefferson County Historical Society, November 15.

HERALD-DISPATCH (Huntington), *First Trip of Steamboat (The Guyandotte) to Logan* (See Wyatt Smith's Column), November 24; *Wreckers Expose Historic Cabell County Prison. Barboursville—D. A. R. Suggests Replica to be used as Museum*, January 12 and 18; *Forts, Stockades and Blockhouses*, Wyatt Smith's column, January 12.

SHINNSTON NEWS, *John C. Shinn, Californian, Writing History of Shinns in Europe and America*, November 23; *Family Sketch of the late Reverend Quillen H. Shinn*, January 4; *Interesting History of Community*, by M. M. Martin; *Pioneer School Teachers since 1876*, January 18.

POCAHONTAS TIMES (Marlinton), *Yellow Gentian, Found on Knapps Creek, by Dr. Asa Gray, Botanist, Nearly 100 Years Ago*, October 26 and November 2; *Old Forts*, by Clem Shaver (series of articles), January 25, February 1; *Travelers' Repose, Old Time Tavern in Greenbrier County*, editorial, January 25.

GRANT COUNTY PRESS (Petersburg), *Post Office Established here in 1820*, November 23.

MORGANTOWN POST, *Civil War Shunted Wine Industry from State to Sunny California—Old Winery Recalls Early Days* (picture), November 24; *Romantic Lore of Ohio River will be Saved—Sons and Daughters of Pioneer Rivermen to Establish Museums*, December 1.

RALEIGH REGISTER, *West Virginia "Dude Ranch"; Pence Springs*, historical article, December 3; *Fish Eaters of Hawk's Nest Gave It a Name*, December 8; *Blennerhassett Island Stands Despite Dams*, December 17; *Century-Old River Job Finished on the Kanawha*, December 17.

DOMINION NEWS (Morgantown), *Little Uffington Found Early History Exciting*, November 24; *Save Blennerhassett State Citizens Beg*, December 17.

HUNTINGTON ADVERTISER, *Ten Original Forest Trees stand on Marshall Campus*, November 24.

THE CLARKSBURG EXPONENT, *Mementos of Civil War and War of 1812—Basis of Museum Here*, November 23; *Indians—Thousands Roamed Central West Virginia in Early Days, Only Eighteen in State Now*, December 15; *Early Baptists had Tough Time in Central West Virginia in Middle of 18th Century—In Clarksburg as Early as 1788*, December 17; *Carl Sandburg Tours West Virginia Collecting Material for his Book, Abraham Lincoln, the War Years*, December 17; *Old Paper Gives History of Doddridge Newspapers*, February 2.

THE WEST VIRGINIAN (Fairmont), *"Little Lady Poet"* (Mrs. Anna Norman Oates) *Establishes Reputation as Writer*, November 24; *Restoration of Historic Burial Grounds Pushed—Simpson Creek Baptist Cemetery Reputed to be Oldest West of Alleghenies*, December 19.

HERALD-ADVERTISER (Huntington), *Museum to Preserve Colorful River Lore*, November 26.

WHEELING NEWS-REGISTER, *"The Mother Hospital," Originally Known as "Wheeling Hospital," Charter Granted April 13, 1853*, November 28; *100th Anniversary of First M. E. Church—Early History*, December 10; *Wheeling Stage Coach Schedule of 98 Years Interesting—James Clemens*

Owns Original Schedule, February 4; *Memorial Library to be Tribute to Alexander Campbell*, February 4.

FARMERS' ADVOCATE (Charles Town), *Relics Given Historical Society*, November 24.

WHEELING INTELLIGENCER, *Ida L. Reed, Famed West Virginia Hymn Writer*, November 27; *Anniversary of Logan Coal Field Celebrated*, November 28; *Early History of Eoff Street Temple—90th Anniversary*, November 30; *Historical Exhibit on Display, Presbyterian Church*, December 1; *Wellsburg Presbyterians Celebrate 100th Anniversary*, December 2; *Indian Settlement, Welcome, also called Kent and Clarington has Interesting History*, December 4; *Centennial of First Methodist Congregation, Martins Ferry*, December 5; *History of Walnut Grove Community, Marshall County*, December 11; *National Road Centennial Celebration Planned in Ohio to be held Next Year*, December 15; *Ohio River Historical Group Takes on International Character—Japanese Member*, December 19; *Sand Hill and Britt Run Communities of Marshall County Historically Prominent*, by C. B. Allman, February 2.

REPUBLICAN-DELTA (Buckhannon), *Haught Book Gives History of College*, November 23; *Old School Picture (1872)—Genealogical Sketch*, December 7; *Historical Material Since, 1784, Upshur's 3rd Court House has 40th Anniversary*, January 4; *Mask and Wig Back in the 1800's in Upshur County*, February 1.

RAVENSWOOD NEWS, *Towns Early Records Gone—Chartered Under Two States*, November 30; *100 Years of Local Post Office History* (first of a series), February 8.

STATE GAZETTE (Point Pleasant), *Picture of George Mason (for whom Mason County was Named) Presented to the County Court by Charles E. Arnold, of Parkersburg*, November 30.

THE TELEGRAM (Clarksburg), *Largest White Oak Tree in World Felled in Mingo County last Summer, 1939*, December 7; *Quirk of Fate Led "Stonewall" Jackson to West Point*, December 22; *Circuit Rider's Wife marks 77th Birthday at Richwood—Sketches of Hutchinson and Taylor Families*, January 15.

WESTON INDEPENDENT, *Early History Stone Coal Community—Aunt Celia Bennett and her Descendants*, December 13; *War of 1860 Halted Work on Weston State Hospital*, December 27; *Rare Old Paper, Ulster Gazette, Turns Up Here, dated January 4, 1800*, December 27; *History of Jane Lew, Mount Hebron Methodist Church*, January 24.

PRESTON COUNTY JOURNAL (Kingwood), *A Legend of Cheat River*, by F. J. Van Newkirk, December 14; *The Defense of the Stockade*, by F. J. Van Newkirk, February 1.

THE TIMES-RECORD (Spencer), *History of Goff Family*, by S. P. Bell, December 14.

BLUEFIELD TELEGRAPH, *Semi-Centennial Anniversary Edition*, contains many historical articles, December 14.

MOUNDSVILLE DAILY ECHO, *History of Welcome Community* (Kent), by A. L. Booth, January 5.

CLARKSBURG EXPONENT-TELEGRAM, *Braxton's First Settlers Fooled the Indians for a Time—Historical Sketch*, January 7; *Memoirs of Early Clarksburg*, by Victor McIntyre, February 4; *Upshur County, Century Ago was U. S. Population Center, Village of Lorentz was Important Spot*, February 4.

WEST VIRGINIA NEWS (Ronceverte), *Major General Hines, Retired—* Sketch of, January 11.

NICHOLAS CHRONICLE (Summersville), *References in Gladys Vaughan's "Rambles" Column to Mills and Towns of Early Days*, January 11.

WESTON DEMOCRAT, *Genealogy of the Harrison Family*, published, January 17; *"Birth" Trees planted on Lawn of General Lightburn's Home*, February 1; *Interesting Sketch-History of Broad Run Baptist Church*, February 9.

JACKSON HERALD (Ripley), *McCausland House Symbolic of Owner, Historical sketch*, January 19.

DUNBAR ADVANCE, *Andrew Rowan Awarded State Medal*, January 9.

GLENVILLE PATHFINDER, *Gilmer County History now being written by Staff of West Virginia Writers' Project; Land in Boothsville, dated December 19, 1857, Deeded to M. E. Church*, January 18.

MOUNDSVILLE JOURNAL, *Introducing Prominent West Virginians*, Series No. 1, by Mrs. Chauncey D. Hinerman, January 20.

MOOREFIELD EXAMINER, *"The Old Timer"—Aaron Halterman—family history*, January 31; *Coming of Revolution Saved West Virginia as a Future State*, by Logan Carroll, February 7.

CLAY COUNTY FREE PRESS, *River Bed Once Bottom of Sea*, February 1.

THE SALEM HERALD, *History of the Seventh Day Baptists in Salem*, February 1.

CALHOUN CHRONICLE (Grantsville), *Revolutionary Soldiers Buried in County* (quotes letter from Boyd Stutler), January 25.

SERIALS (CONTINUED)

THE MOUNTAINEER (Ripley), *Early History of Pioneer Days in Jackson County*, began February 16, 1939.

GRAFTON SENTINEL, *A History of Taylor County*, by Charles Brinkman, began April 18, 1939.

BRAXTON DEMOCRAT (Sutton), *Beacon Lights of Braxton History*, by West Virginia Writers' Project, began January 11, 1940.

Recent Publications of Interest to West Virginians

Echoes from the Hills (verse), by Bessie Woodson Yancey, The Associated Publishers, Washington, D. C., 1939.

The Higher Plane, by James L. Smith, Elizabeth, West Virginia, 1939.

Statesmen of the Lost Cause: Jefferson Davis and His Cabinet, by Burton J. Hendrick, Little, Brown and Company, Boston, Massachusetts, 1939.

Anderson Family Records, by W. P. Anderson, W. F. Schaffer and Co., Cincinnati, Ohio, 1936.

One Hundred Years at V. M. I., Volumes I and II, by Colonel William Couper (contains much West Virginia material), Garrett and Massie, Inc., Richmond, Virginia, 1939.

Writings of General John Forbes (relating to his service in North America), compiled and edited by Alfred Proctor James, The Collegiate Press, Menasha, Wisconsin, 1938.

The Domestic Life of Thomas Jefferson, by Sarah N. Randolph, University Press, Cambridge, Massachusetts, 1939.

Unleashed at Long Last, by W. H. T. Squires (relates to Reconstruction in Virginia), Printcraft Press Inc., Portsmouth, Virginia, 1939.

The Planting of Civilization in Western Pennsylvania, by Solon J. Buck and Elizabeth Hawthorn Buck, University of Pittsburgh Press, Pittsburgh, Pa., 1939.

Francis Walker Gilmer: Life and Learning in Jefferson's Virginia, by Richard Beale Davis, The Dietz Press, Richmond, Virginia, 1939.

Contributors

CHARLES MCCAMIC, a lawyer in active practice in Wheeling, West Virginia, is a graduate of Yale University, member of Phi Beta Kappa, Order of the Coif, and Kappa Alpha, southern.

Dr. C. H. Ambler dedicated to Mr. McCamic, his recent book, *Francis H. Pierpont, Father of West Virginia.*

HARVEY MITCHELL RICE, a member of the Department of History, Ohio State University, was born at McComas, West Virginia. He received his A. B. degree from State Teachers College, Athens; M. A. from West Virginia University; and Ph. D. from Ohio State University. He served as assistant principal of Spanishburg High School and taught in the Athens High School.

ELIZABETH COMETTI is now a member of the Department of Archives and History, West Virginia; for biographical sketch, see Volume 1, No. 2, *West Virginia History.*

RICHARD BEALE DAVIS is Associate Professor of English in Mary Washington College and has been a member of the Summer faculty of the University of Virginia since 1938.

Dr. Davis is a graduate of Randolph-Macon College; he received his M. A. and Ph. D. degrees from the University of Virginia. He is the author of several articles in the field of general and literary history; his latest work, *Francis Walker Gilmer: Life and Learning in Jefferson's Virginia,* was published in November, 1939.

JOSEPHINE HEGE is a teacher of history and political science at the Woman's College University of North Carolina. She received her A. B. degree in history at the Woman's College of the University of North Carolina, and her M. A. at the University of Virginia, with major work under Thomas Perkins Abernethy in the history of the Old South. She has also done graduate work at Yale University.

BOYD B. STUTLER, for biographical sketch, see Volume 1, No. 1, *West Virginia History.*

O. D. LAMBERT, for biographical sketch, see Volume 1, No. 2, *West Virginia History.*

D. B. KRAYBILL is at present Dean of New River State College. He received his A. B. degree from Franklin and Marshall College, Lancaster, Pennsylvania; M. A. from Columbia, in 1916; and Ph. D. from Pennsylvania State College, 1927.

Editor's Page

The third issue of this magazine goes to the public amid an ever-increasing interest in the field to which it is dedicated. This is, as set forth in the first issue, "the collection and preservation of material relative to the State and its people." "A laudable purpose," observe commentators; and, as *The Journal of Southern History* (February, 1940) notes, "indicative of historical activity and enterprise in another state south of the Mason and Dixon line." It is our hope that the people of this State and those abroad may continue this interest, and that meritorious articles may act as constant stimuli in this field.

In *Administration of Poor Relief in the Virginias,* Charles McCamic, for the first time, so far as we know, examines this material with great care. The author has spared no pains to insure accuracy, and has made a valuable contribution, covering the period from the opening of the history of the Virginias, as one, down to the present time.

Jonathan M. Bennett, a Confederate Portrait, by Harvey M. Rice, is a popular, but scholarly, sketch of the life of a distinguished citizen of Weston, West Virginia—a man of unusual energy and ambition, who, for forty-five years, was intimately connected with the history of Virginia and West Virginia. He was one of the few men who merited the confidence, not only of those who espoused the "Lost Cause," but also of the builders of the new State of West Virginia. Dr. Rice is the author of a forthcoming biography of Bennett.

In *The Memorandum of William Whitteker,* is brought to light one of those intensely interesting journals that turn up now and then from some old collection of documents. Almost a story in itself, the scholarly annotations of Elizabeth Cometti do much to clarify a point here, and a question there. The next installment will cover the career

of the same individual, in a setting that embraces the region of the Great Kanawha Valley in West Virginia.

As has been pointed out, the interest, as well as the value, of the series under the caption, *West Virginians in the American Revolution,* continues to grow. More than one original document has been found which confirms or amplifies material appearing therein. This presents a question of general interest: Where are the records of the history of our State and its people? Perhaps it might be better to ask: Where were they until a few years ago? Here, there, and everywhere? Some important papers have been found in recent years, in attics of old houses, in trunks, even in old barns and modern garages—in the basements of courthouses, and in the belfries of schools.

In days gone by, many officials felt that all public papers were personal property; and, consequently, many were carried away, lost, or destroyed. New public buildings did not immediately become the repositories of records from old buildings. Today, fortunately, that is being changed, and West Virginians are becoming conscious of the value of all records, individual or public—which is as it should be.